

**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

**NOTICE OF FINANCE COMMITTEE MEETING** Monday, January 13, 2020 City Hall 4:30PM  
▪ Committee Review-Monthly Expenditures

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**NOTICE OF CITY COUNCIL MEETING**  
Monday, January 13, 2020 Washburn City Hall 5:30 PM

**AGENDA**

- Call to Order/Roll Call/Pledge of Allegiance
- Approval of Minutes – City Council Meetings – December 9, 2019; Historic Preservation - December 9, 2019
- Approval of Monthly Expenditures via Roll Call Vote
- Public Comment
- Mayoral Announcements, Proclamations, Appointments
  - Vacancy on Harbor Commission
- Public Hearing and Action on Designating a Portion of the Lakefront Walking Trail as a Historic Site **TAB 1**
- Presentation by Dave Bell on Interest in the Brokedown Building at 204 W. Bayfield St. **TAB 2**
- Discussion & Action on Approval of Certified Survey Map for Lots 2, 3, 4 and 5 of Block 3 of Church’s Subdivision – Mick Malcheski, Petitioner **TAB 3**
- Presentation, Discussion & Action on Request to Place Informational Kiosks on Public Rights-of-Way and Locations – Washburn Heritage Association, Petitioner **TAB 4**
- Discussion & Action to Place a Tribute to Niles Eilertsen at the Washburn Athletic Fields **TAB 5**
- Discussion & Action on Ordinance 2020-01 Establishing Sex Offender Residency Restrictions **TAB 6**
- Discussion & Action on Police Policy for Less Than Lethal Force (Bean Bag Rounds) **TAB 7**
- Discussion & Action on the Purchase of New Water Meters for All Utility Customers, Requesting PSC Authorization for a 20-Year Inspection Schedule, and Approval of Contract for Installation of New Meters **TAB 8**
- Discussion & Action on Resolution 2020-01 Combining Wards for Spring Primary, Spring Election, and May Special Election **TAB 9**
- Discussion & Action on Special Event Request to Close Streets Temporarily for Bike Across the Bay Event on February 16, 2020 – North Coast Cycling Association, Petitioner **TAB 10**
- Alcohol Licensing Matters – **TAB 11**
  - Approval of Class B Beer and Class C Wine Alcohol License Application – Ronald Piercy, Karlyn’s/Yellowbird Gallery, Petitioner
  - New Bartender License Applications - #21-44 Through #21-45
- Adjourn

December 9, 2019

**CITY OF WASHBURN COMMON COUNCIL MEETING**

5:30PM Washburn City Hall

Present: City Council Members: Karen Spears-Novachek, Laura Tulowitzky, Jennifer Maziasz, Tom Neimes, Carl Broberg

Municipal Personnel: Mayor Richard Avol, City Administrator Scott J. Kløver, Assistant City Administrator Tony Janisch, City Attorney Max Lindsey, Director of Public Works Bob Anderson

Excused Absence: Mary McGrath, Aaron Austin

**Call to Order** - Meeting called to order at 5:35PM by Mayor Avol. Roll call attendance depicted five (5) of seven (7) members of the Common Council in attendance. Quorum of the Council recognized.

**Approval of Minutes – City Council Meeting of November 18, 2019** - A motion was made by Novachek to approve the November 18, 2019– minutes, second by Broberg. Motion carried unanimously.

**Approval of Expenditures-** A motion was made by Novachek to approve the monthly expenditures as reviewed, second by Broberg. Motion carried unanimously via roll call vote of all five (5) councilors in attendance.

**Public Comment** – Sean Meeker, Washburn, stated that he attends Washburn High School and there is talk about charging a fee for Book Across the Bay. He is part of two groups that volunteer at the Book and financially benefit from the Book. He asked the Council to consider the clubs and organizations that volunteer and help-out, then benefit financially from the Book. Madeline Blong, Ashland, stated that she is also a member of several groups that help-out with Book Across the Bay. She believes the contributions the City should put into the Book Across the Bay is very important and considering the students that all contribute to the event and benefit from it, it's important to continue to fund the event. Ian Meeker, 116 E 4<sup>th</sup> St., stated that he was speaking for Dalt Collins who could not attend, but who had prepared numbers of the economic impact the Book has on the area. The City does have shared expenses, but the event does bring in a lot of people. He didn't want something to start that might discourage Washburn possibly losing the finish line, because it's a really important part for the community.

**Mayoral Announcements, Proclamations, Appointments-** The Mayor nominated Kristy Jensch for reappointment to the Washburn Housing Authority. A motion was made by Novachek to approve Kristy Jensch's reappointment to the Washburn Housing Authority Board term expiring 2024, second by Tulowitzky. Motion carried unanimously. The Mayor nominated Adeline Swiston, Cheryl Follis, Linda Ovaska, Pauline Jimenez, Sherri Swiston, Susan Nieman, Lu Ann Opperman, Michelle McCumber, Florence Hagstrom, Valerie Dandeneau, Caroline Nelson, Karen Guski, Donald Niles Eilertsen, Sharon Hacker, Pat Bruno to the Election Board. A motion was made by Broberg to appoint the named individuals to the Election Board for a two-year term expiring 12/31/2021, second by Maziasz. Motion passed unanimously. Avol next noted a vacancy on the Harbor Commission. The Mayor then read a statement complimenting the efforts of Police, EMT, Fire Dept., Public Works and City office staff, as well as private individuals, during the recent heavy snowstorm.

**Presentation by Charles Gable and Dave Bell on their Interest in the Brokedown Building at 204 W. Bayfield St.** – It was noted that Gable and Bell were unable to attend due to the weather. No presentation or discussion occurred.

**Discussion & Action on Amendment to Water and Sewer Credit Policy** – No discussion. Moved by Novachek to approve the proposed amendment the Water & Sewer Credit Policy, second by Maziasz. Motion carried unanimously.

**Discussion & Action on 2020 Pay Schedule** – No discussion. Moved by Broberg approve the 2020 Pay Schedule, second by Novachek. Motion carried unanimously.

**Discussion & Action on Proposed 2020 TID #2 and TID #3 Budgets** – Maziasz questions if it was typical to use TIF funding to hire engineers, specifically referencing the Bayfield Street Reconstruction Project. Kluver responded that one of the goals of creating TID #3 was to have development occur. The TID #3 does include part of Bayfield St, including the downtown area. Part of the intention was to offset these costs. Moved by Novachek to approve the proposed 2020 TID #2 and TID #3 budgets, second by Broberg. Motion carried unanimously.

**Discussion & Action on Resolution #19-014 Adopting All 2020 Budgets and Expenditures** – Moved by Novachek to approve Resolution No. 19-014, second by Neimes. Maziasz questioned Council had already approved the budgets. Kluver stated that at the last meeting, Council approved the tax levy. This was the final step to budget process. Motion carried unanimously.

**Discussion & Action on Writing-Off Certain Outstanding Ambulance Bills/Utility Bills** – Moved by Broberg to write-off certain outstanding ambulance and utility bills, seconded by Maziasz. Maziasz questioned the statute of limitations and if people can just wait and not have to pay their bills. Kluver stated that these are outstanding bills that were sent to a collection agency. City Attorney Lindsey added that according to State statute we have six (6) year to collect on outstanding debt, and that in most cases we cannot locate the individuals to serve notice of debt. Motion carried unanimously.

**Discussion & Action on 2020 Meeting, Election, and Holiday Calendar** – Moved by Novachek to approve the 2020 Meeting, Election, and Holiday Calendar, second by Neimes. Novechek noted two additional election days. Motion carried unanimously.

**Discussion & Action on Approval of Contracts with Environmental Dynamics International, Inc. and Energenics, Inc. for Aerobic Digester Equipment Maintenance and Upgrades at the Wastewater Treatment Plant** – Public Works Director Anderson stated that these upgrades feed into the energy efficiency goals for the WWTP, which included the solar arrays. Anderson further stated that replacement of this equipment would reduce electrical usages. Novachek moved to approve contracts with Environmental Dynamics International, Inc. and Energenics, Inc. for upgrades at the Wastewater Treatment Plant, seconded by Maziasz. Lindsey added that this type of contract does not require a public bidding. Kluver stated that the specific equipment is being used which require specific vendors for installation. The WWTP is currently using equipment and software from Energenics, and the company familiar with the plant. Novachek questioned experience with Environmental Dynamics International. Kluver stated no, but that the company is specific to the blower/diffusor equipment being used. Anderson included that plant operator Joel Weber does have experienced with the company. Motion carried unanimously on a roll-call vote.

**Alcohol Licensing Matters – New Bartender License Applications - #21-41 Through #21-43** – A motion was made by Tulowitzky to approve New Bartender License Applications – #21-41 through #21-43, second by Maziasz. Motion carried unanimously.

**Adjourn** – Motion to adjourn by Broberg, seconded by Maziasz. Motion carried unanimously. Meeting adjourned at 6:05 pm.

Tony Janisch  
Assistant City Administrator

**FINANCE COMMITTEE MEETING 4:30PM**

Committee Member Karen Spears Novachek reviewed monthly expenditure vouchers.

December 9, 2019

**HISTORIC PRESERVATION COMMISSION**

5:30PM Washburn City Hall

Present: Commission Members:

Karen Spears-Novachek, Laura Tulowitzky, Jennifer Maziasz, Tom Neimes, Carl Broberg

Municipal Personnel:

Mayor Richard Avol, City Administrator Scott J. Kluver, Assistant City Administrator Tony Janisch, City Attorney Max Lindsey, Director of Public Works Bob Anderson

Excused Absence:

Mary McGrath, Aaron Austin

**Called to Order** – Meeting called to order at 5:30pm by Mayor Avol. Roll call attendance depicted five (5) of seven (7) members of the Historic Preservation Commission in attendance. Quorum of the Commission recognized.

**Approval of Minutes – Historical Preservation Commission of November 18, 2019 – A motion was made by Novachek to approve the November 18, 2019 minutes, seconded by Broberg. Motion carried unanimously.**

**Public Hearing and Action on Designating a Portion of the Lakefront Walking Trail as a Historic Site – Moved by Broberg to open Public Hearing, seconded by Maziasz. Motion carried unanimously. No public comments were made. Moved by Broberg to close the Public Hearing, seconded by Maziasz. Motion carried unanimously.**

Moved by Novachek to recommend to City Council the historic site designation the portion of the Washburn Walking Trail from the trail head at Thompson's West End Park up to the marina boat landing. The width of the historic site shall be from eight feet north of the existing pathway south to the normal high-water line of Lake Superior. And that designation should not affect maintenance, branches, bushes and bridge placement., second by Neimes. City Attorney Lindsey suggests the commission should discuss why they are making this recommendation. Maziasz stated that this designation will set a historic theme to the Trail and its interpretation. Avol stated that area was home to several sawmills that were the heart of Washburn's industrial past and an intracule part to the founding on the community. The Trail also has several signs documenting Washburn's history. Designating the area will help preserve the history for future generations and serve to be an attraction to the community. Motion carried unanimously.

Moved by Broberg to adjourn at 5:35pm, second by Novachek. Motion carried unanimously.

Tony Janisch  
Assistant City Administrator

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To: Honorable Mayor and City Council Members  
From: Scott J. Kluver, <sup>SK</sup> Administrator  
Re: Designation of a Portion of the Walking Trail as a Historic Site Part III  
Date: December 19, 2019

The last step in the designation of the walking trail as a historic site is at hand. This time, another public hearing will first be conducted on the proposed nomination of the walking trail as a historic site. After the public hearing, the Council can take final action on the matter. A copy of the same materials that were in last month's packet are included.

The area to be designated as a historic site is defined as from the trail head at Thompson's West End Park up to the marina boat landing. The width of the historic site shall be from eight feet north of the existing pathway south to the normal high-water line of Lake Superior.

Reasons for the nomination are stated in the minutes of the last Historic Preservation Commission meeting which are also included in your binder.

The Historic Preservation Commission has indicated that the designation should not interfere with trail maintenance and repairs, tree/brush removal, invasive species control, shoreline erosion control, bridge replacement, and other similar activities. It would be my interpretation that replacement of signage or signage themes and the placement of new or other types of art or structures may be subject to obtaining a certificate of appropriateness.

Please let me know if you have further questions on this matter. Once approved, I expect the group responsible for the nomination will begin publicizing the area and planning improvements to the area that will highlight the historic significance. Any improvements will likely be considered at a future meeting.

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**City of Washburn Common Council**  
**Notice of Public Hearing for Nomination of Historic Site**

Notice is hereby given that the City of Washburn Common Council will hold a Public Hearing on Monday, January 13, 2020 at 5:30 PM at the Washburn City Hall, 119 Washington Avenue, for consideration of the Lakefront Walking Trail area as a historic site. The specific area to be considered for this designation is from the existing trail head at Thompson's West End Park to the Marina boat landing and from eight feet north of the existing trail to the normal high-water line of Lake Superior.

After obtaining input at the Public Hearing, the Council may take final action on this matter.

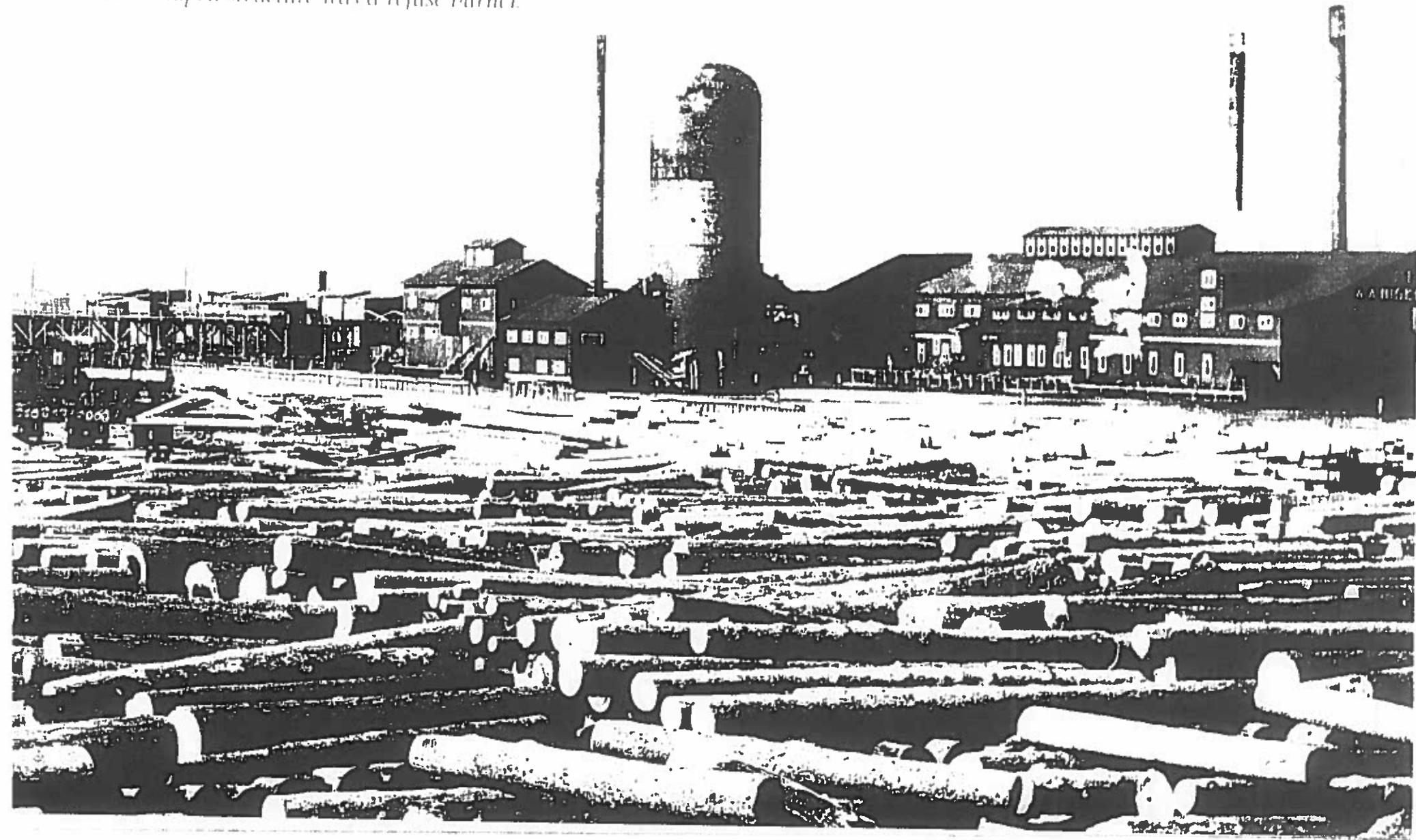
A copy of the application and other materials may be viewed at the Washburn City Hall during regular business hours. Questions may be directed to the City Administrator on this matter by calling 715-373-6160 Ext 4, or by emailing at [washburnadmin@cityofwashburn.org](mailto:washburnadmin@cityofwashburn.org).

Respectfully Submitted,  
Scott J. Kluver  
Administrator/Clerk

Daily Press – Box Ad December 14 and 21, 2019

Website, TV, City Hall, Library

*This is a view of the mill pond at Hines Mill, near today's West End Park.  
Logs were held here before they went to the sawmill to be converted to lumber.  
The silo-shaped structure was a refuse burner.*



***Historic Site Designation Application***  
***Washburn Historic Lakeshore District & Walking Trail***



## Historic Site Designation Application City of Washburn, Wisconsin

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### 1. Name of Building/Site/Object

**Historic: Local "Historic Lakeshore District & Walking Trail"**

**Common: n/a**

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### 2. Location

**The location starts at Thompson's West End Park, following the Lake Superior shoreline for 1.5 miles, on the walking trail, to past the Marina. The Sites are marked and tell the story of where Washburn's history happened.**

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### 3. Owner of Property

**City of Washburn**

**P.O. Box 638**

**Washburn, WI.**

**ZIP: 54891**

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### 4. Classification

Category	Ownership	Present Use
<input type="checkbox"/> Building	<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Private residence
<input type="checkbox"/> Object	<input type="checkbox"/> Private	<input type="checkbox"/> Commercial
<input checked="" type="checkbox"/> Sites	<input type="checkbox"/> Both	<input checked="" type="checkbox"/> Entertainment
		<input checked="" type="checkbox"/> Educational
		<input checked="" type="checkbox"/> Government
		<input type="checkbox"/> Industrial
		<input checked="" type="checkbox"/> Museum
		<input type="checkbox"/> Other

## 5. Description

**Years: Historic Lakeshore and Walking Trail from 1880's to 1920's.**

**Written description: Washburn Historic Lakeshore District & Walking Trail, starts at the Trailhead at Thompson's West End Park, at the parking lot nearest to the boat ramp, and ends after the Coal Dock site past the Marina. It has inherent worth of local sites along the Washburn Lakeshore and Walking Trail from 1880's to 1920's. They include: (see map)**

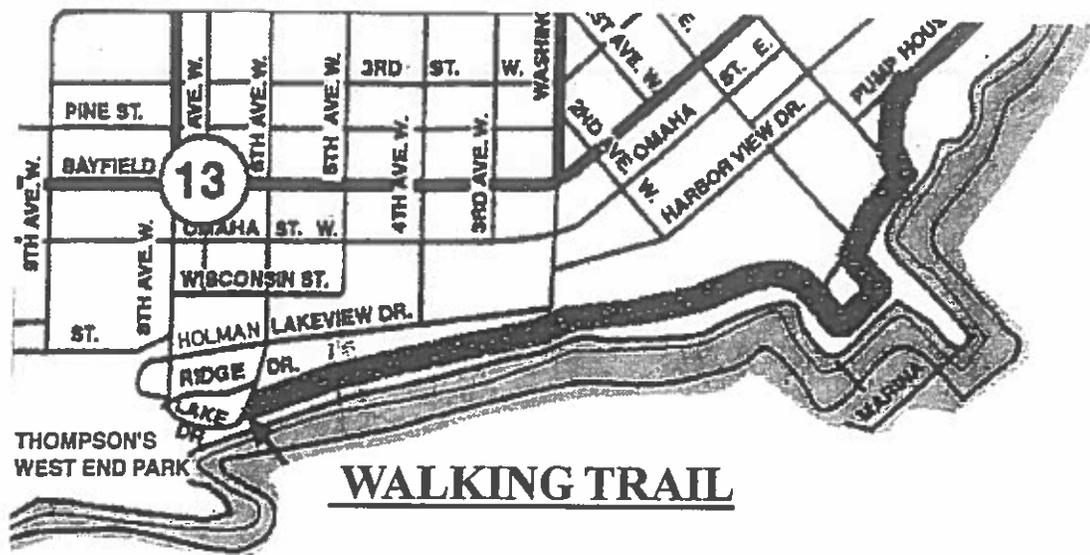
- A. Site of Bigelow/Hines railroad trestle**
- B. Washburn Lumbering Days at the Hines Mill [ front cover]**
- C. Old City Dock for Steamboat ferries like the Mary Scott**
- D. Step into Washburn's Past [Signs on trail at end of Washington Ave.]**
- E. Sign of locating sites of 900,000 bushel grain elevator and commercial docks**
- F. Iron Hook of John Jacob's Mill log boom**
- G. Merchandise/Commercial Dock (still in use)**

**This 1.5 mile lakeshore path tells the story of where Washburn's history happened. In October 2003, Washburn's Lakeshore Walking Trail and harbor were designated as part of the Wisconsin Maritime Trail System. They were selected by the Wisconsin Historical Society's Division of Historic Preservation as well as the University of Wisconsin Sea Grant Institute because of the significant number of lumber mill artifacts are remnants of a narrow-gauge railroad spur belonging to the Hines-Bigelow Saw Mill. Wisconsin Historical Society officials were so impressed with the presence of the artifacts that they found funding for the designation-one of four in Wisconsin along the coasts of Lake Superior and Lake Michigan. Washburn residents Hope McLeod and Bruce Bowers were instrumental in obtaining Maritime designation. Interpretive signs along the way include the Maritime Trail signs and describe historic sites. The Washburn Lakeshore Trail was named a Millennium Trail in 2000 by former First Lady Hillary Clinton.**

**In 1905 the census places its population for Washburn at 5,000. It was the home of the county seat, had electric lights and water works system. The DuPont Co. , largest dynamite plant in the Northwest section of the United States, hired most of the employees from Washburn. Office personnel of the plant lived in the city on DuPont row on 3<sup>rd</sup> street. Once considered among the largest ports in the Great Lakes system, Washburn's commercial activity centered along the lakeshore. With the combination of shipping and the Chicago, St. Paul , Minnesota & Omaha railroad for transportation , the lumber and the A.A. Bigelow - Hines Sawmill, the Brownstone from the Quarries, the dynamite from DuPont, and the grain/flour for General Mills, made Washburn a very important city.**

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**Note: Sources for map, sites and photo's , the book Wood, Stone and Water-Washburn Walking Tour by Washburn's Heritage Preservation Assoc. 2005**



## WALKING TRAIL

The walking trail has been in existence since the logging days. The ravines between the Hines Lumber Co. and the City Dock were filled with slabs of wood and made a good roadway. While it was not used as a walking trail, it was used especially by youngsters to go fishing or swimming. Old timers tell the trail was always there and used.

It was not until after 1976 that interest was shown to improve it. Much credit goes to William Robinson, Janice Norlin, Dr. and Mrs. Christensen, The Boy Scouts, U.S. Forest Service, and many other volunteers and interested citizens.

1985-86 were momentous years when the city received a grant from The Northwest Regional Planning Commission, and one of the projects was to improve the Walking Trail. It is now hoped that the trail will become an attraction for the citizens of Washburn and for the tourists.

## WASHBURN PARK BOARD

**NOTE:** These words are carved on a wooden sign at the beginning of the trail.

The Walking Trail was officially created on May 10<sup>th</sup>, 1976 by its inclusion in the Comprehensive Plan adopted by the City Council on that date. The full name is The Washburn Lakeshore Parkway and Walking Trail. It was named a Millennium Trail in 2000 by former First Lady Hillary Clinton.

The Trail is owned by the city and preserved for the public access.

(B)

### THE HINES LUMBER COMPANY

AT THIS SPOT THE HINES LUMBER COMPANY WAS LOCATED. IT WAS PREVIOUSLY THE BIGALON BROTHERS MILLS, BUT WAS PURCHASED BY EDWARD HINES IN 1902. THE PURCHASE INCLUDED 20,000 FEET OF STUMPAGE ON LAKE SUPERIOR. HE HAD A BRILLIANT CAREER IN THE LUMBER INDUSTRY. HE WAS THE HEAD OF THE LARGEST LUMBER WHOLESALING INSTITUTION IN THE U.S. AND IN 1907 HE PURCHASED THE TIMBER LANDS AND MILLS NEAR A SH-

PROPERTY OF THE WHITE RIVER LUMBER CO. NEAR MASON, WI. THIS DEAL INVOLVED A LARGE SAWMILL, PLANING MILL, 500,000,000 FT. OF FEET OF TIMBER AND THE ENTIRE TOWN OF MASON, AT PRICE OF ABOUT \$3,000,000. THERE WERE ALSO PURCHASES IN SUPERIOR WI., OULATH WA, PARK FALLS AND HAYWARD WI.

IN 1907 THE HINES CO. OWNED THE LARGEST CARRYING FLEET ON THE GREAT LAKES. IN 1905 THE COMPANY OWNED 20 STEAMERS AND BARGES, WITH A CAPACITY OF 10,000,000 FT. OF LUMBER. A TRIP IT CAN BE SAID THE LUMBERING INTERESTS OF THE EDWARD HINES LUMBER CO. EXTENDED FROM THE GULF OF MEXICO TO THE CANADIAN BORDER, AND FROM CHICAGO TO THE PACIFIC NORTHWEST REPRESENTING LARGE TRACTS OF TIMBER HOLDINGS, MODERN SAWMILL PLANTS AS WELL AS RAILROADS.

MR. HINES WAS BORN IN BUFFALO N.Y. JULY 31, 1863, THE ELDEST OF SEVEN CHILDREN AND THE ONLY SON OF PETER AND ROSE MCGARRY. HINES HIS PARENTS MOVED TO CHICAGO WHEN HE WAS TWO YEARS OLD. THERE HE ATTENDED THE PUBLIC SCHOOL, AFTER WHICH HE WORKED FOR ABOUT 18 MONTHS IN A GROCERY STORE AT \$10.00 A MONTH. HE THEN BEGAN HIS LUMBER TRAINING IN THE HUMBLE CAPACITY OF TALLY BOY WITH THE CARGO COMMISSION FIRM OF PETER FISH AND BROTHERS. LATER HE BECAME AN OFFICE BOY AT \$4.00 A WEEK IN THE OFFICE OF THE LUMBER FIRM OF K.S. MARTIN AND COMPANY. THIS WAS THE BEGINNING OF HIS SUCCESSFUL CAREER AS IN MAY 1892, THE EDWARD HINES LUMBER CO. WAS ORGANIZED & INC.

### WASHBURN LUMBERING DAYS

WASHBURN BEGINS ON THE SHORELINE OF CHEQUAMEGON BAY. THE CITY RISES GRADUALLY 75 FT. ABOVE LEVEL OF THE WATER. IN 1889, THE TOWN WAS CREATED, BORN OF THE NECESSITY OF THE RAILWAY (CHICAGO, ST. PAUL, MINNEAPOLIS AND OMAHA) WHICH REQUIRED NOT ONLY AMPLE DEPTH OF WATER AT THE DOCKS, BUT SUFFICIENT FLAT LAND, ABLE TO HANDLE ITS CARS AND SHIPPING. THE WORK OF OBTAINING THE TOWN SITE BEGAN IN 1883 (PRIOR TO THAT TIME A SMALL LUMBER CAMP WAS THE CENTER OF ACTIVITIES). THE SITE CONSISTED OF 365 ACRES OF PINE GROWTH. CLEARING THE LAND AND BUILDING OF DOCKS AND RAILROAD COMMENCED. THE RAILROAD PIER EXTENDED 1,000 FT. INTO THE WATER, WITH 500 FT. WIDTH. (THE MAIN DOCK WAS 500 FT. X 15 FT.). IT WAS THE MOST PERFECT HARBOR ON LAKE SUPERIOR.

LOCATIONS FOR LUMBER MILLS WERE SELECTED NESSERE, COOK AND CO. (MUSKEGON, MICHIGAN), CONSTRUCTED A SAWMILL IN 1895, BUILDING UP TO CUTTING 200,000 FT. OF LUMBER PER DAY. IN 1897, 10,000,000 FT. OF LUMBER WAS SAWED OUT BY THE THREE BIG MILLS IN WASHBURN, ACKLEY, SPRAGUE, AND THOMPSON CO.'S WHICH WERE LATER PURCHASED BY STERNS LUMBER CO. AND THE MAMMOTH A. A. BIGLOW CO. THEIR DOCKS WERE BUILT ON PILLS EXTENDING 800 FT. FROM LAND TO 1,000 FT. INTO THE WATER. THESE MILLS WERE STILL IN OPERATION IN 1900, EMPLOYING 1000 MEN. BIGLOW CO. SOLD OUT TO EDWARD HINES CO. IN 1902. IT BURNED DOWN IN 1905. KEMFIELD AND LAMOREAUX OPERATED A WOODWORKING FACTORY FOR SEVERAL YEARS. THEY MADE WIRE REELS, SPOOLS AND HEADING. PINE, BIRCH, HARDWOOD, HEMLOCK AND OTHER TIMBER WERE SUPPLIED TO THE 2 PLANING MILLS, SHINGLE MILLS, LATH MILLS, ETC., AND THE 3 LARGE SAWMILLS. HEMLOCK BARK WAS SHIPPED FOR TANNING PURPOSES. WITH 2 BILLION FT. OF STANDING PINE IN BAYFIELD COUNTY, WITH THE BULK OF IT BEING IN WASHBURN, IT BECAME A BOOM TOWN. POPULATION 4,000.

LUMBER WAS SHIPPED BY RAILWAY AND BOAT. BIGLOW CO. OWNED A FLEET OF 6 BOATS. THESE MILLS SHIPPED MORE BOARD FT. OF LUMBER THEN ANY PORT OF ALL ON LAKE SUPERIOR. THE LUMBERING INDUSTRY BOOMED IN THE LATE 80'S AND 90'S BUT THE LUMBER CO. HAD STRIPPED MUCH OF THE TIMBER FROM THE LAND BY 1900 SO THE BOOM WAS OVER AND THE MILLS CLOSED. TODAY, THE DEPARTMENT OF NATURAL RESOURCES REGULATES THE PLANTING AND CUTTING OF TREES SO THAT FUTURE GENERATION MAY REAP THE HARVEST OF THEIR RICH HERITAGE OF TIMBERLANDS.

(B) Washburn Lumbering Days at the Hines Mill and Bigelow Co

A. A. BIGELOW & CO.,  
**LUMBER,**  
 LATH & SHINGLES  
 WASHBURN, Wis.

**B**

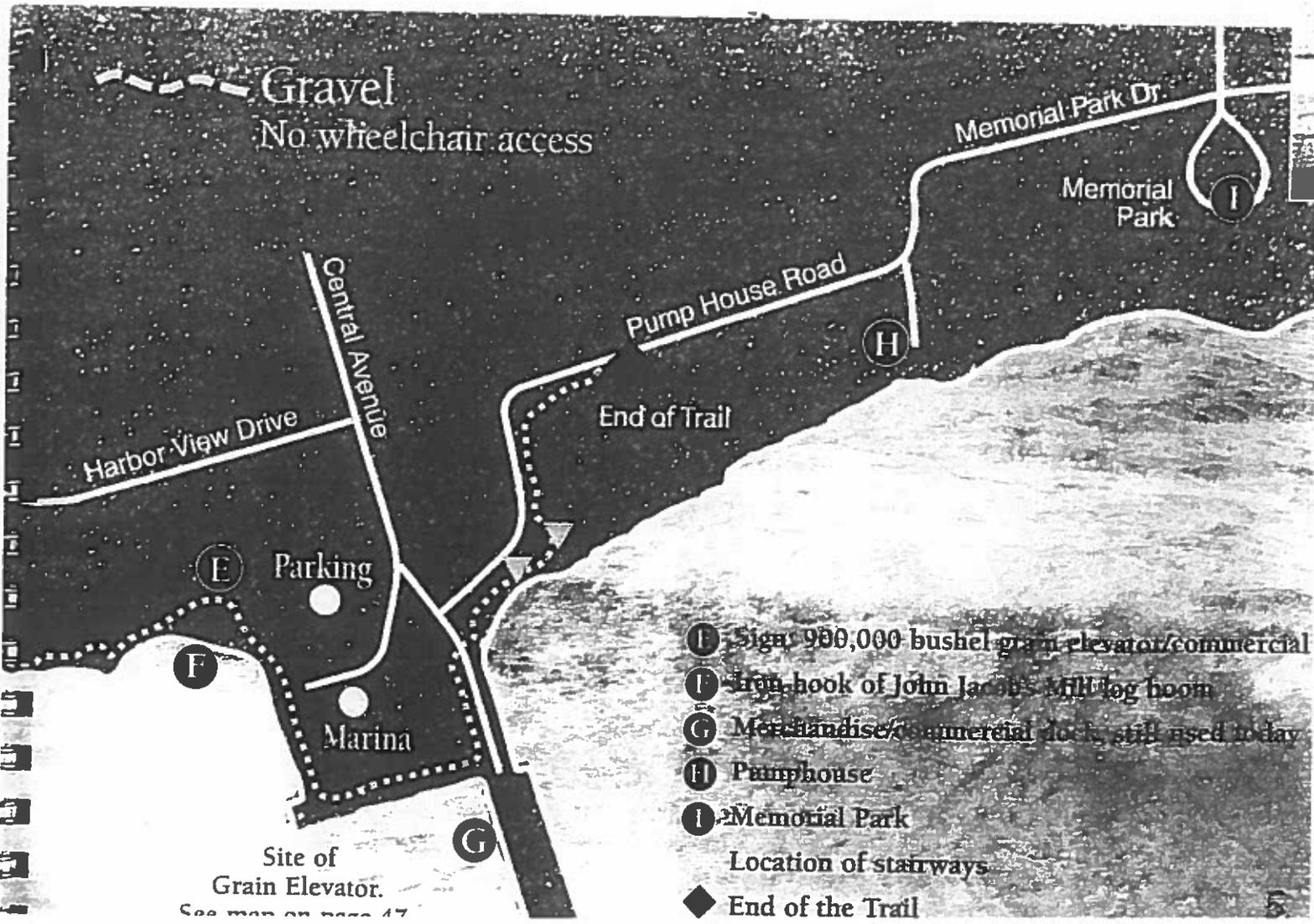
### Sign: "Washburn Lumbering Days"

For more information, see this sign along the Trail titled "Washburn's Lumbering Days."

### **C** Old City Dock

The City Dock extended out just west of the still standing brownstone wall, which was also the façade of Washburn's old sewer outlet.

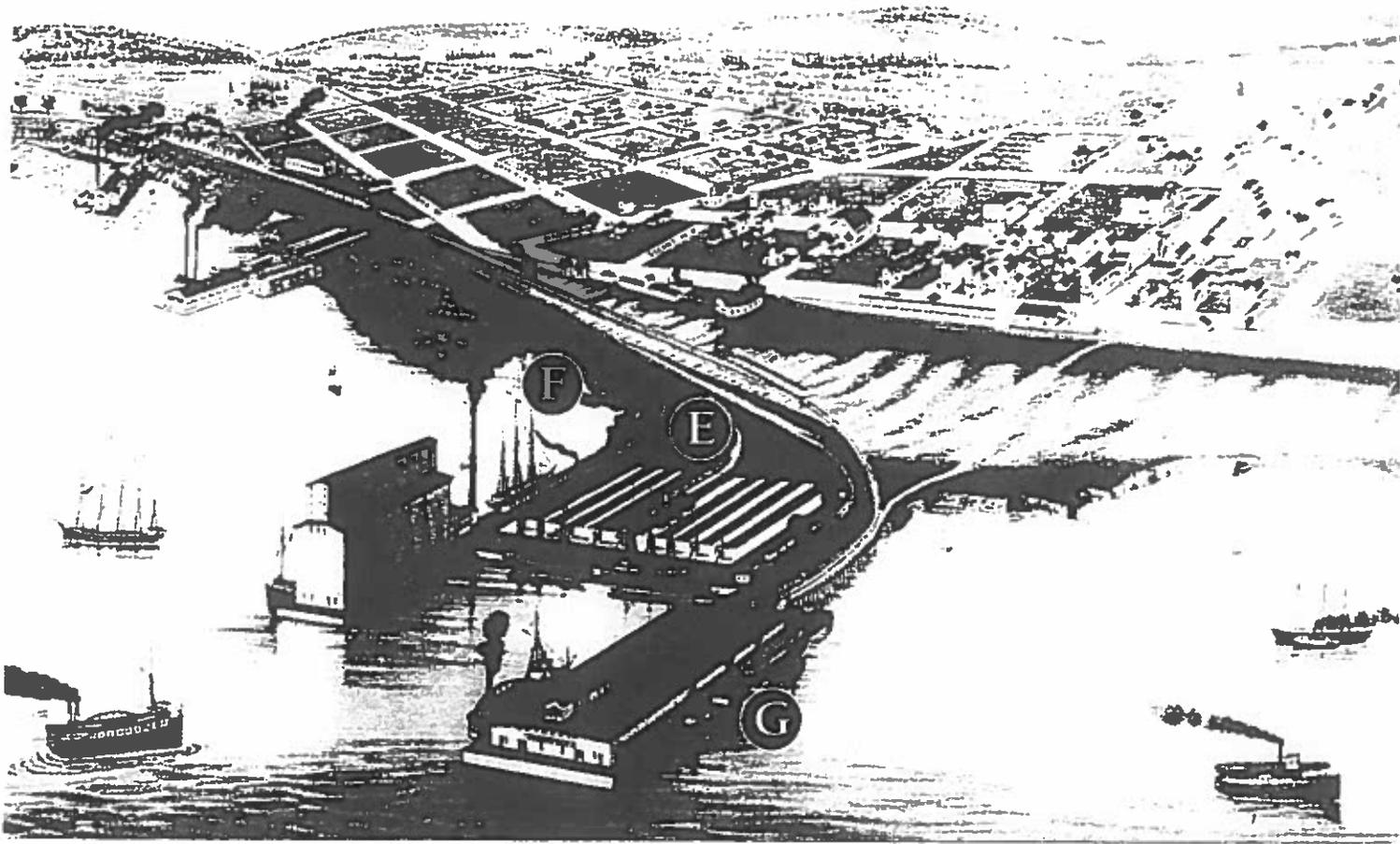
This dock was a busy place of transport in the late 1880s. Steamboat ferries such as the *Mary Scott* and the *Ellen D* would dock here and take passengers to and from Ashland. Also an excursion boat, the *Skater*, carried people around the Apostle Islands and the town of Bayfield.



## D Sign: "Step into Washburn's Past"

This sign offers a brief history of Washburn, from explorers to the DuPont Company. The handicap accessible portion of the Trail ends here, just before stairs drop down into a ravine leading to a secluded beach. "For almost 100 years, Washburnites have been walking along our lakeshore. Whether long ago or yesterday, whether with friends or alone, to walk along that path has been a part of living in Washburn." – Bud Robinson at the 1979 Trail dedication

*Historical view of grain elevator and commercial docks*



### 6. Areas of Significance

- |  |   |
|--|---|
| <input type="checkbox"/> architecture                      | <input type="checkbox"/> law                            |
| <input type="checkbox"/> art                               | <input checked="" type="checkbox"/> literature          |
| <input checked="" type="checkbox"/> commerce               | <input type="checkbox"/> military                       |
| <input checked="" type="checkbox"/> community planning     | <input type="checkbox"/> music                          |
| <input type="checkbox"/> conservation                      | <input type="checkbox"/> philosophy                     |
| <input checked="" type="checkbox"/> economics              | <input type="checkbox"/> politics/government            |
| <input checked="" type="checkbox"/> education              | <input type="checkbox"/> religion                       |
| <input checked="" type="checkbox"/> exploration/settlement | <input type="checkbox"/> science                        |
| <input checked="" type="checkbox"/> industry               | <input checked="" type="checkbox"/> social/humanitarian |
| <input type="checkbox"/> invention                         | <input type="checkbox"/> theater                        |
| <input checked="" type="checkbox"/> landscape architecture | <input checked="" type="checkbox"/> transportation      |
|  | <input type="checkbox"/> other                          |

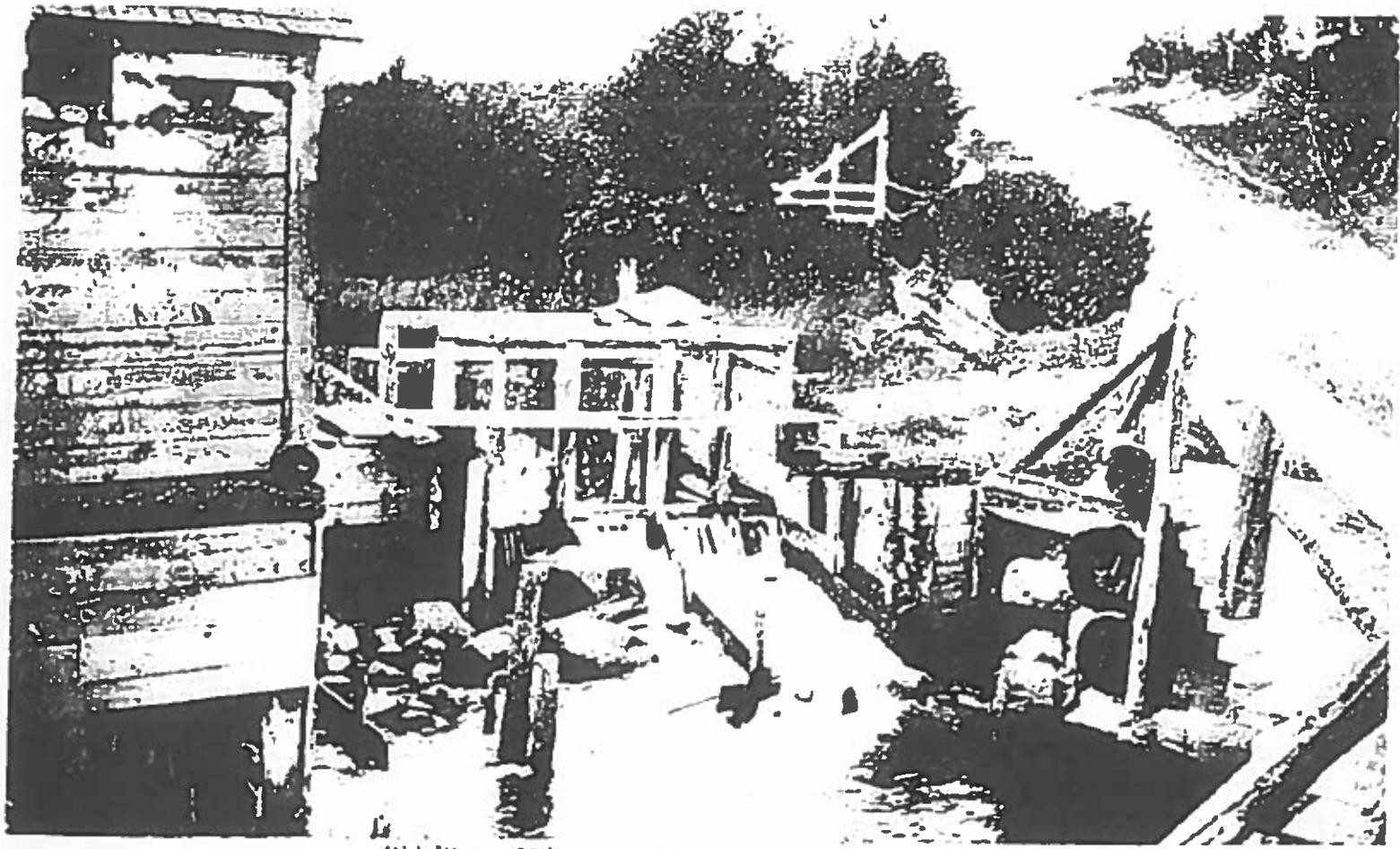
## **7. Written Statement of Significance**

**Washburn, Wisconsin is a city of great history and it needs a way to tell the stories of the significance of the lakeshore and its importance to the town from 1880 to 1920. The Historic Lakeshore District and Walking Trail with the designated sites is a way to show these events and the character of this community. It was a Boom Town in the turn of the century. It is significant to tell the story to educate the community and the tourists of what important value the lakeshore is to Washburn. This lakeshore community was named after Cadwallader C. Washburn in 1883, Wisconsin's governor from 1872 to 1874 and later the president of the State Historical Society of Wisconsin. The city has many beautiful brownstone buildings, including the library, a domed courthouse, and the Washburn Historical Museum and Cultural Arts Center. All three are on the State and National Historic Registry. The lakeshore and the railroads made it possible for Washburn to ship the brownstone to other cities for their buildings.**

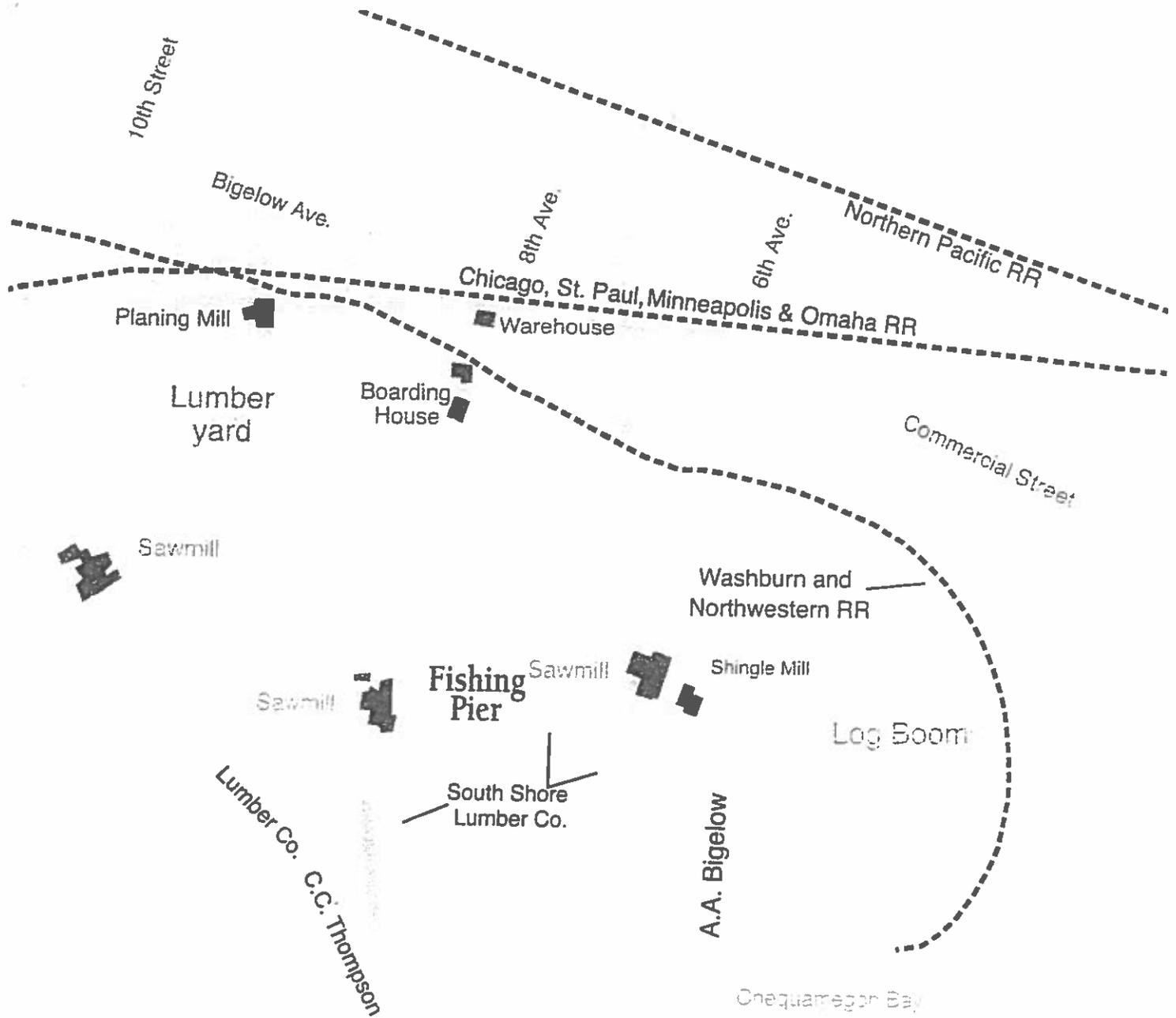
**More visitors are drawn to a historic district and a sense of the past enhances the visitors experience. It shows a town with an exciting past of brownstone buildings that are still very much in use and a lakeshore on Lake Superior that has a history of logging, commercial docks, shipping, and sawmills. The Walking Trail links two beautiful parks. Beginning at Thompson's West End Park, it follows parallel to the lakeshore and ends at Memorial Park. Landmarks and remnants along the 1.5 mile path help the visitor to imagine the vibrant story of Washburn's past. This information and more can be read in the booklet "Wood, Stone and Water". This book is also significant to the town and visitors as a Washburn Walking Tour guide.**

**Highway 13 is being considered for a Scenic Byway designation and Washburn is the first town on the 70 mile route. It is significant to tell the visitors our story and we can do that by having the Historic Lakeshore District & Walking Trail. Public access to the waterfront is relatively easy. Parking areas exist in the parking lots at the Thompson's West End Park and key locations along the walking path. Also easy access to the area is by boats. Public boat ramps exists at Thompson's Park and the Marina. There is very little connection between the waterfront and the business area. Washburn would benefit by providing better signage from the business area to the lakeshore. This would show a sense of place with the historic buildings and the 1.5 mile historic waterfront and walking trail. Today the lakeshore is used for many of our events both in summer and winter.**

**Historic preservation prevents the loss of community memory and the destruction of community accomplishments. It retains a sense of place for now and the future. This shows pride in the community's heritage and will increase tourism and attractiveness to new businesses. A local preservation program may be the most cost-effective economic development program a community can establish.**



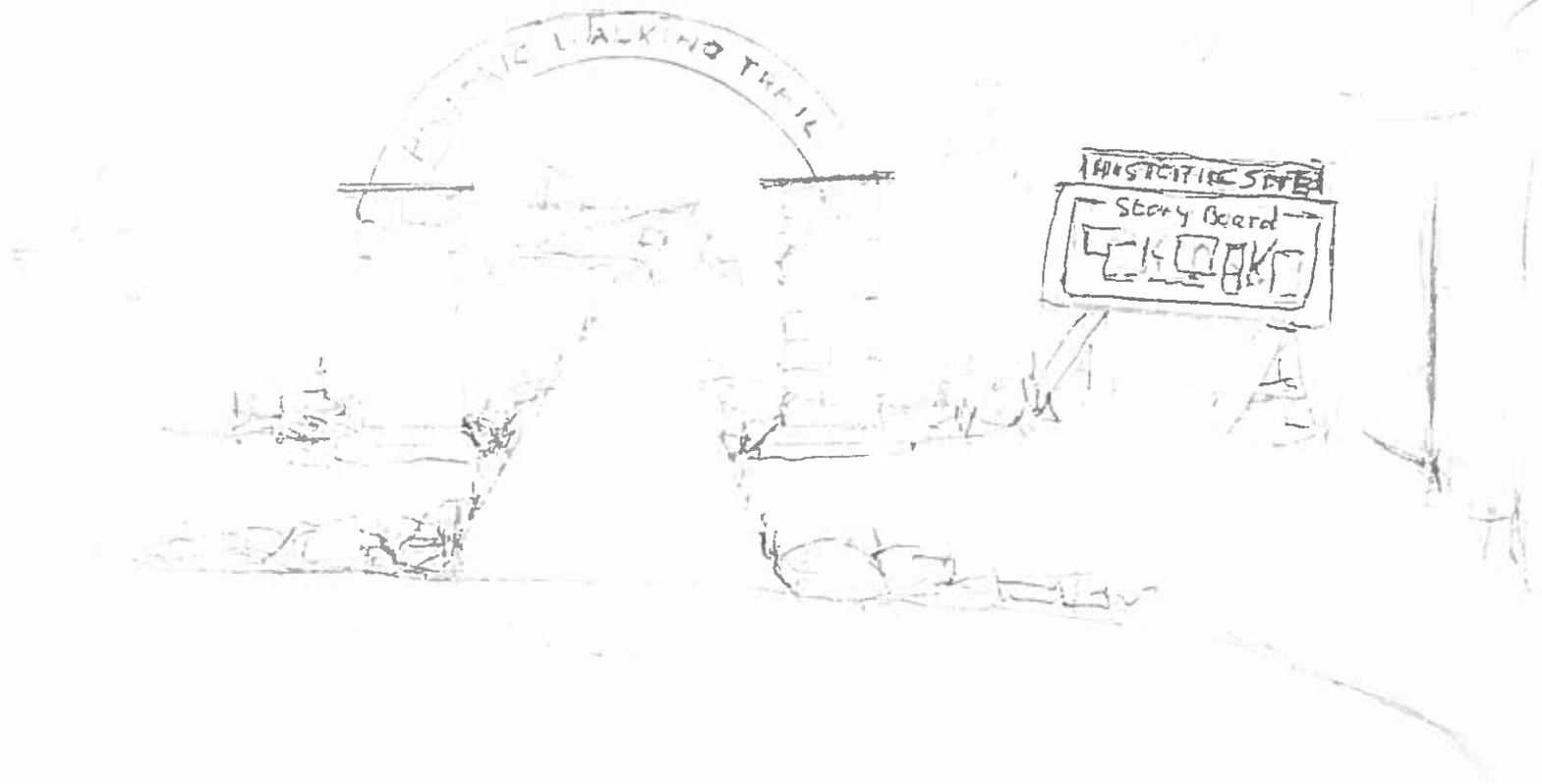
Old Water Mill. Flour Mill Creek, Washburn, Wis.



**Date:** 3/5/12

**Form Prepared By:** Dora Kling

**Title:** Historic Preservation Commission Member  
 Washburn Historical Museum & Cultural Arts Center Member  
 Washburn Heritage Association  
 Alliance for Sustainability



WHA Board of Directors: Lynn Adams, Carla Bremner, Steve Cotherman, Don Ekstrom, Andrew Grimm, Patra Holter, Sandy Johnson, Dora Kling, Jill Lorenz, Karen Novachek, Dave Nyhus, Ginny Pedersen, Sharon Stewart. Advisory Board: Gary Holman, Ken and Jane Weiler

*Mission: To enrich the experience of living in our city by telling the compelling stories and preserving the historic buildings and culture of Washburn.*

# B Bayfield County Land Records and GIS 1.2



## Title 13 ► Chapter 4

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# Historic Preservation

<b>13-4-1</b>	Purpose and Intent
<b>13-4-2</b>	Definitions
<b>13-4-3</b>	Historic Preservation Commission
<b>13-4-4</b>	Criteria for Historic Designation
<b>13-4-5</b>	Procedure for Historic Designation
<b>13-4-6</b>	Regulations Governing Historic Properties
<b>13-4-7</b>	Rescission of Historic Property Designation

### **Sec. 13-4-1 Purpose and Intent.**

It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of special character or special architectural or historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The purpose of this Chapter is to:

- (a) Effect and accomplish the protection, enhancement and preservation of such improvements;
- (b) Safeguard the City of Washburn's heritage by preserving sites and structures, which reflect elements of the City's cultural, social, economic, political, visual or architectural history;
- (c) Foster civic pride in the beauty and notable accomplishments of the past;
- (d) Stabilize and improve property values;
- (e) Improve and enhance the visual and aesthetic character, diversity and interest of the City of Washburn;
- (f) Protect and enhance the City of Washburn's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry; and
- (g) Educate the public regarding the need and desirability of a Washburn historic preservation program and its enhancement of the quality of life.

### **Sec. 13-4-2 Definitions.**

The following definitions shall be applicable in this Chapter:

- (a) **Certificate of Appropriateness.** The certificate issued by the Historic Preservation Commission approving alteration, rehabilitation, construction, reconstruction or demolition of a historic structure or historic site.

- (b) **Commission.** The Historic Preservation Commission created under this Chapter.
- (c) **Historic Property.** Collective term meaning historic site or historic structure.
- (d) **Historic Site.** Any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which a historic event has occurred, and which has been designated as a historic site under this Chapter, or an improvement parcel, or part thereof, on which is situated a historic structure and any abutting improvement parcel, or part thereof, used as and constituting part of the premises on which the historic structure is situated.
- (e) **Historic Structure.** Any improvement which has a special character or special historic interest or value as part of the development of the City of Washburn; includes the heritage or cultural characteristic of the City, state or nation and which has been designated as a historic structure pursuant to the provisions of this Chapter.
- (f) **Improvement.** Any building, structure, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment, including streets, alleys, sidewalks, curbs, lighting fixtures, signs and the like.
- (g) **Improvement Parcel.** The unit of property which includes the physical betterment constituting an improvement and the land embracing the site thereof, and is treated as a single entity for the purpose of levying real estate taxes. Provided, however, that the term "improvement parcel" shall also include any unimproved area of land which is treated as a single entity for such tax purposes.

### Sec. 13-4-3 Historic Preservation Commission.

- (a) **Composition; Appointment.**
  - (1) The Historic Preservation Commission ("Commission") is hereby created and shall consist of five (5) members who shall be residents of the City of Washburn, appointed by the Mayor of Washburn and subject to confirmation by a majority vote of the Common Council. If a vacancy occurs, the Mayor shall appoint a person subject to Common Council confirmation for the unexpired term.
  - (2) The Commission shall be composed of five (5) persons. The Common Council and the Mayor may seek individuals competent and informed in historical, architectural, and cultural traditions of the City. The membership of the Historic Preservation Commission, if available in the community, may be any of the following: a registered architect, a member of the Washburn Heritage Preservation Association, a licensed real estate broker, a City Alderperson, a member of the Plan Commission, a member of the Washburn Historical Society and citizens-at-large. In addition to the five (5) members of the Commission, the Zoning Administrator shall serve as an ad hoc member and shall not be entitled to a vote.
  - (3) The members of the Commission shall serve for a three (3) year term. Those terms shall be staggered so that in any one (1) year, no more than two (2) terms expire. No

compensation shall be paid to Commission members except for expenses necessary in carrying out their duties. The Commission shall annually select from its members a Chairperson, Vice-Chairperson and Secretary and shall fill vacancies in such offices.

- (b) **Meetings.** The Commission shall meet on a regular basis, as needed, but no less than two (2) times per calendar year. The Common Council by majority vote, or the Mayor, shall have the authority to call and schedule said meetings.
- (c) **Powers and Duties.** The Commission shall have the following powers and duties:
  - (1) The Commission shall review and study historic properties and sites within Washburn with respect to nominations to designate a City Historic Property.
  - (2) The Commission shall review applications for Certificate of Appropriateness and shall issue such certificates.
  - (3) The Commission shall assist persons applying to have property listed on the state register of historic places or the national register of historic places with the application process.
  - (4) The Commission shall provide information to interested persons regarding investment tax credit programs, grants or loans that may be available with respect to historic rehabilitation efforts. The Commission shall assist interested individuals in understanding and meeting the eligibility requirements for such programs.
  - (5) The Commission shall educate the public regarding the benefits to the community, businesses and property owners from historic preservation.

#### **Sec. 13-4-4 Criteria for Historic Designation.**

For the purposes of this Chapter, a Historic Property designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of particular historic architectural, archeological or cultural significance to the City of Washburn, such historic structures, sites or district which:

- (a) Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community; or
- (b) Identify with a person or persons who significantly contributed to the City's culture and development; or
- (c) Embody the distinguishing characteristics of an architectural style, period, form, or treatment; or
- (d) Identify the work of an architect or master builder whose individual work has influenced the City's development; or
- (e) Has yielded, or may be likely to yield, information important to prehistory or history; or
- (f) The unique location or singular physical characteristic representing and established and familiar feature of a neighborhood, community or the City of Washburn.

## Sec. 13-4-5 Procedures for Historic Designation.

- (a) **Nomination Process.**
- (1) The Commission shall have the power to nominate historic structures and historic sites for historic designation. Such designations shall be made based on Section 13-4-4.
  - (2) The owner or owners of the nominated property shall be notified in writing by the Commission that said property is being considered by the Commission for such designation. If the owner, for any reason, elects or chooses to not participate with his/her property in the historic structure or site designation, said owner can appeal in writing to the Common Council within ten (10) days of receipt of the notice of the Commission's nomination, which shall be served either by personal service or certified mail. Upon receipt of said appeal by the Common Council, the matter shall be placed on the next regular Council meeting agenda for the purpose of removing the appellant's property from the nomination process. The Common Council shall remove said property from the nomination process, unless there is clear and satisfactory evidence that the subject property represents a historical structure or site of such important to the history of Washburn, and the public good, that the removal of the property from the nomination process would represent a likely danger that the property's historical significance will be seriously damaged or lost. An appeal under this Section stays any further hearings by the Commission regarding the nominated property.
  - (3) The Commission shall hold a public hearing to consider the nomination of the structure or site as a Historic Property. The public hearing shall not be conducted less than fourteen (14) days after the publication of a public meeting notice.
  - (4) After considering written and oral input obtained through the public hearing process, the Commission shall make its recommendations to the Common Council as to whether the structure or site should be designated a Historic Property. The Commission's written recommendation shall include reasons in support of the Commission's recommendations. The Commission shall forward a copy of its written recommendations to every person who owns all or part of the property described by the nomination.
  - (5) The Common Council shall hold a public hearing to consider the Commission's recommendation to designate the structure or site as a Historic Property. The Common Council may then approve or deny the designation by majority vote.
- (b) **Obligations of Historic Properties.** Upon approval by the Common Council as a Historic Property, the designated property and the owner or owners, shall abide by the guidelines and regulations governing Historic Properties.

## Sec. 13-4-6 Regulations Governing Historic Properties.

- (a) After the Historic Property has been designated as such by the Common Council, no owner or person in charge of a Historic Property shall reconstruct, alter or demolish all or any part of the exterior of such Historic Property unless a Certificate of Appropriateness has been granted by the Historic Preservation Commission. The Zoning Administrator shall not issue

- a building permit for such work unless a Certificate of Appropriateness has been granted by the Commission. No additional structures shall be permitted to be constructed or placed upon the historic property unless a Certificate of Appropriateness has been granted by the Historic Preservation Commission. Any reconstruction, remodeling or other similar work to the interior of the structures on the Historic Property shall not require a Certificate of Appropriateness, but must comply with any rules regarding issuance of a building permit.
- (b) The owner of a Historic Property must complete an application for a Certificate of appropriateness for any desired changes to be made to the Historic Property described in Subsection (a).
- (c) Upon filing of any application for the Certificate of Appropriateness with the Commission, the Commission shall approve the application unless:
- (1) In the case of a designated Historic Property, the proposed work would detrimentally change, destroy or adversely affect any exterior architectural feature of the improvement or site upon which said work is done;
  - (2) In the case of the construction of a new improvement upon a Historic Property, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site;
  - (3) In the case of any property located in a historic district, the proposed construction, reconstruction, exterior alteration or demolition does not conform to the purpose and intent of this Chapter and the objectives and design criteria of the historic preservation plan for such a district;
  - (4) The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of Washburn and the state;
  - (5) The building or structure is of such old and unusual or uncommon design, texture, and/or material that it could not be reproduced without great difficulty and/or expense.
  - (6) In the case of request for the demolition of a deteriorated building or structure, any hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.
- (d) In addition, in determining whether to issue a Certificate of Appropriateness, the Commission shall consider and give weight to any or all of the following standards:
- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to defining the characteristics of the building and its site and environment.
  - (2) The historic character of the property shall be retained and preserved. The removal of historic material or alteration of features and spaces that characterize the property shall be avoided.
  - (3) Each property shall be recognized as a physical record of time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

- (4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
  - (5) Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize the property shall be retained and preserved.
  - (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of distinctive features, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
- (e) If the Commission determines that the application for a Certificate of Appropriateness and the proposed changes are consistent with the character and features of the property or district within the stated guidelines, it shall issue a Certificate of Appropriateness. Upon the issuance of such a certificate, the building permit shall be issued by the Zoning Administrator. The Commission shall make this decision within thirty (30) days of the filing of the application.
  - (f) Should the Commission fail to issue a Certificate of Appropriateness due to the failure of the proposal to conform to the guidelines, the Commission shall provide suggestions as to how the proposed alterations could be completed so as to minimize any adverse affects to the Historic Property and to assist the applicant in obtaining the desired Certificate of Appropriateness within the guidelines of this Chapter.
  - (g) Applicants may appeal the Commission's decision to the Common Council within thirty (30) days of receipt of the decision of the Commission. The appeal is a de novo review. The owner may seek as a remedy upon appeal rescission of the historical designation, if the owner of the property subject to the historical designation can establish by clear and convincing evidence that the Commission is acting in an arbitrary and capricious manner, which has resulted in an unreasonable hardship to the owner.
  - (h) The Zoning Administrator is responsible for assuring that all work is done in accordance with the Certificate of Appropriateness and the issued building permit.
  - (i) Agencies of the City and all public utility and transportation companies undertaking projects affecting historic structures, sites, or districts shall be required to obtain a Certificate of Appropriateness prior to initiating any changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures and buildings on property, easements, or streets owned or franchised by the City.
  - (j) Ordinary maintenance and repairs may be undertaken without a Certificate of Appropriateness provided the work involves repairs to existing features of a historic structure or site and the replacement of elements of the exterior portion of the structure with pieces identical in appearance and provided the work does not change the exterior appearance of the structure or site and does not require the issuance of a building permit.

### **Sec. 13-4-7 Rescission of Historic Property Designation.**

- (a) If the person listed as the owner of record of a Historic Property is unable to sell his/her property due to the obligations imposed by this Chapter, such a person may petition the Commission for a rescission of its designation. Such petition shall contain a statement

under oath that the person has made responsible attempts in good faith to find and attract such a buyer, as well as further information deemed reasonably necessary by the Commission of the purpose of evaluating the petition request.

- (b) Following any such rescission, the Commission may not redesignate the subject property as a Historic Property for at least five (5) years from the date of rescission.

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**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Honorable Mayor and City Council Members  
From: Scott J. Kluver, <sup>SK</sup>Administrator  
Re: Presentation by Dave Bell on Interest in Brokedown Building  
Date: December 30, 2019

It is anticipated that Dave Bell, one of the individuals interested in purchasing the Brokedown Building, will be at the Council meeting to introduce himself. Chuck Gable, the other individual, will not be able to attend. At this time, I have not received an offer or any new information to present.

# David E. (Dave) Bell

## Resume and Career Highlights

449 Roosevelt Ave  
Eau Claire WI, 54701  
Phone: 715-559-2708  
Email : dbell@gmx.com

### Current

#### **2018 – Present, Mastec North America, Vice President**

Contractor license holder and member of senior management. Mentor younger members of the team and review significant project execution plans and budgets.

### Previous Work History

#### **2018 – 20019, Next Step Energy**

Small (7 employees) renewable energy contractor. Performed site assessments, designed residential and commercial solar installations. Obtained required permits for installation. Performed rooftop work during installations.

#### **2009 – 2018, Vice President, Estimating and Project Management**

Oversee proposal submission for all projects. Attend pre-bid meetings for major projects and coordinate the attendance at the remaining meetings by other management members, superintendents and engineers. Manage solicitation of subcontractor quotes, negotiate terms and oversee eventual award. Direct the development of cost estimates, contract proposal pricing, project schedules, and proposal submissions by our home office team. Develop and maintain client contacts with the goal of remaining on existing bidders lists and expanding our client base and expand our presence in industry growth sectors. Mentor, help manage and develop our more junior team members (PM's, Office Managers, Estimators, Superintendents, etc.) as they administer our contracts, manage changes and work through challenges.

#### **2008 – 2009, Director Estimating and Project Manager – Welded Construction LP**

Responsible for the generation and submittal of all project proposals; attended pre-bid meetings and coordinated the attendance of the remaining meetings by other management, superintendents and engineers; developed cost estimates, contract proposal pricing, schedules and proposal submissions. Managed high profile projects with key clients.

#### **2006 – 2008, Senior Contracts Administrator – Global Pipeline Partners, LLC**

Managed the contractual relations with client and subcontractors on Phase 1 of a 3-year Alliance Agreement between Global Pipeline Partners, LLC (Joint Venture with Michel's Corporation, U.S. Pipeline, Precision Pipeline and Welded Construction) and Enbridge Energy: responsible in part for the transition of the contract from a Target Based risk sharing scenario to a reimbursable contract (eventual value of approximately \$1.3 billion). Managed subcontractor quote solicitation, subcontract terms, awards, change orders and invoices.

#### **2000 – 2006, Project Manager/Estimator – Welded Construction LP**

Produced RFP responses, and, upon project award, managed projects ranging in scope from 6-inch to 56-inch and as small as 10 workers to as many as 500 workers spanning the length and breadth of the lower 48 states (Washington State to New York and Minnesota to Mississippi). Managed larger projects onsite and smaller projects from the home office.

#### **1999 – 2000, Environmental Scientist – Natural Resources Group**

Acted as a liaison on behalf of companies to obtain environmental and cultural permits from state and local agencies for cross country construction projects.

#### **1997 – 1999, Environmental Inspector – High Plains Inspection Services**

Environmental inspector for several large diameter cross county pipelines and take up and relay projects as well as a single line rupture replacement project.

### **1994 – 1997, Peace Corps Volunteer – Nepal**

Designed and wrote grant proposals, managed grant money distribution and construction of 7 school buildings and a library for a rural village Nepal. Designed, obtained funding for and oversaw construction of a local, community clean water drinking tap in the same community. Taught 5<sup>th</sup> and 6<sup>th</sup> grade science and High School English classes.

### **Memberships and Contractor Licenses**

- NACE (National Association of Corrosion Engineers)
- ASME (American Society of Mechanical Engineers)
- Licensed contractor in Florida, Arizona, Tennessee, Louisiana, West Virginia, Virginia, Nevada, South Carolina, Mississippi and Oregon

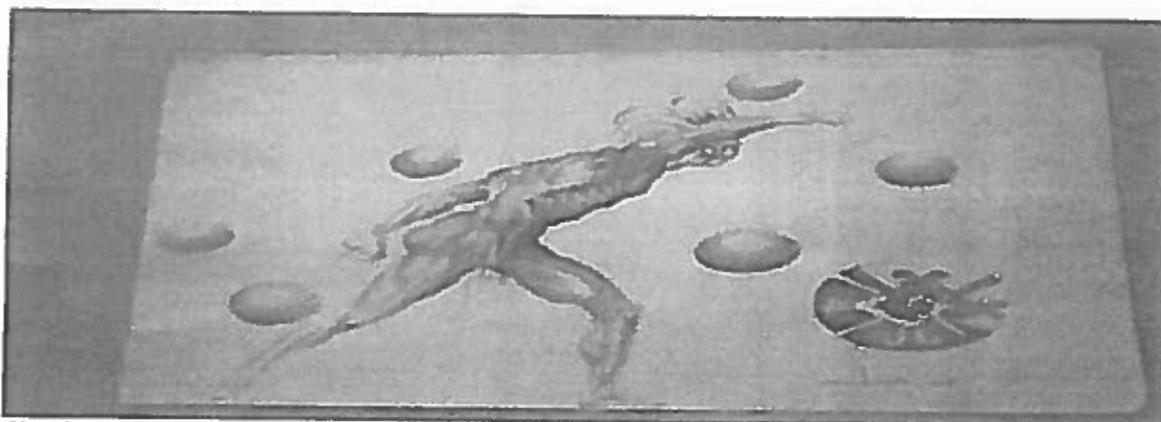
### **Education, language and computer skills**

B.A, Physics, Saint Olaf College

- English (native language, proficient technical writer with good oral presentation skills)
- Nepali (conversant with moderate reading ability and presentation skills)
- Spanish and Russian (basic with limited reading)
- Microsoft Windows, Word, Excel, PowerPoint, Access, Project and Outlook - proficient
- Primavera, AutoCAD, Hard Rock (estimating software) and Timberline (estimating software) - basic abilities

### **Real Estate Projects**

- Rehabilitation of 4 unit apartment building in south Minneapolis. This project was from a foreclosed building and needed extensive reconstruction. Still own and operate this business.
- Remodel and sale of 4 single family residences
- Subdivision and sale of residential properties in Eau Claire WI
- Construction of 5 unit apartment building in Minneapolis. Design, own and operate. This is an ongoing project.



Charles Gable  
1132 Pershing Street  
Eau Claire, WI 54703

208 275-9828  
cmgable@gmail.com

Eau Claire August 1968 to present.  
Employment:

1968-9 Dun and Bradstreet, Inc, reporter and credit analyst.

1969-2 San Diego Real Estate Brokerage, sales and commercial consulting.

1972-3 Dublin, Ireland consulting with Sunlight Cattle Co, LP/USDA/Wells Fargo.

1973-84 LaConner and Burlington, WA Real Estate Broker/Owner.

1978-82 MarTek, Inc. Heavy Marine Fabrication, owner.

1982-1992 John Graham, AIA, Tom Robbins and Ernest Kanzler + entities, personal/  
corporate financial consulting.

1992-6 Connect, Inc (RF) Director of Finance and HR.

1996-2015 Various LLC's for specific endeavors.

2015-present Carpe Carpum, Confluence Place, +, LLC's.

2018-9 Cowsmo Compost, Expansion consultant.

Ref: Mike Vinapol and John Wilcox, Attorneys at Law.

I have some acquired skill in finance, logistics and problem resolution.

By: Charles Gable

November 22, 2019

Construction projects:

LaConner

Purchase 10 acres, log, divide and resell.

Similk Beach, Anacortes, WA	Purchase, remodel 3 bedroom house, including a compost toilet/greenhouse accessory building and resale 1,250 Sq Ft.
Anacortes, WA	Lease, remodel farmstead into tech spec mfg facility 8,000Sq Ft and exchange.
Mt. Vernon, WA	Develop, operate and sell MarTek, Marine Fab, 10,000 Sq Ft on 5 acres.
LaConner, WA	Purchase Duplex, remodel and resale 2,000 Sq Ft.
	Purchase, relocate, remodel and sell hip roof residence 1,600 Sq Ft.
	Develop 3 story commercial restaurant, bakery and residence and exchange frame and masonry, with walk-ins 3,600 Sq.Ft..
	Develop log house on acreage and sell 2 bedroom 1,400Sq Ft.
Bellingham, WA	Purchase, remodel into restaurant and retail 10,000 Sq Ft Brick and resale.
	Purchase, remodel and resale 5 bedroom student residence 2,400 Sq.
	Purchase, remodel and resale 4 bedroom residence 2,600 Sq Ft.
Eau Claire, WI	Purchase, remodel, rezone and resale 68 acres + res. 1,400 Sq Ft. Aspen Meadow, 4 plexes and SFR.
	Develop Truck Depot into Tech lab/office and residence and resale 5+ acres and 3,200 Sq Ft.
	Purchase and demo historic house on 2 <sup>nd</sup> for Courthouse.
	Purchase, remodel and hold personal residence 1,450 Sq Ft.

Updated November 22, 2019

Charles Gable  
208 275-9828

3

**CITY OF WASHBURN**  
**119 Washington Avenue**  
**P.O. Box 638**  
**Washburn, WI 54891**



**715-373-6160**  
**715-373-6161**  
**FAX 715-373-6148**

**To:** Honorable Mayor and City Council Members  
**From:** Bob Anderson, Deputy Zoning Administrator  
**Re:** Proposed Certified Survey Map of Michael Malcheski  
**Date:** December 17, 2019

Enclosed you will find a copy of a preliminary Certified Survey Map (CSM) for the Michael Malcheski properties in the vicinity of the 300 block of 6<sup>th</sup> Street East. The proposed Lots are R-6, Mixed Residential.

The proposed Lot 1 will include an eastern portion of the original Lot 2, Lot 3, and the western half of the original Lot 4. The proposed Lot 2 will include the western half of the original Lot 4 and Lot 5.

The proposed Lot 1 will continue to bare a nonconformance with the existing building structure that is not supported by a residence and does not meet current setback requirements. The proposed Lot 2 will become a developable and conforming lot.

Approval of this new parcel map will create an additional developable lot within Block 77 of Church's Subdivision.

The lots are of residential use and conform to the Comprehensive Plan. I recommend approval of the proposed Certified Survey Map.

**CITY OF WASHBURN**

PO BOX 638

WASHBURN, WI 54891

**Receipt Nbr:** 29032

**Date:** 12/17/2019

**Check**

RECEIVED FROM PINE RIDGE LAND SURVEYING

\$25.00

<u>Type of Payment</u>	<u>Description</u>	<u>Amount</u>
Accounting	ZONING PERMITS CSM- MALCHESKI	25.00

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TOTAL RECEIVED

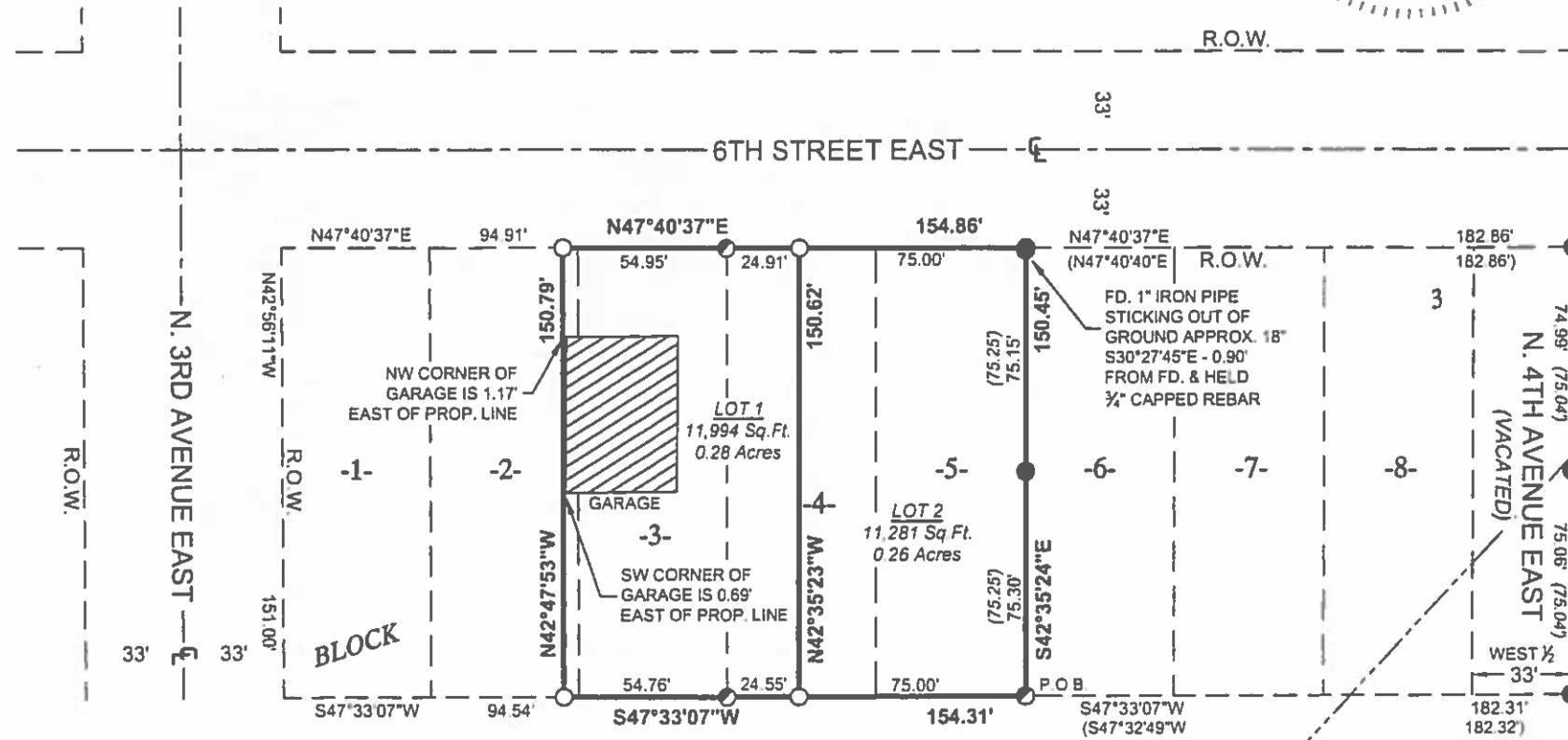
25.00

# BAYFIELD COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

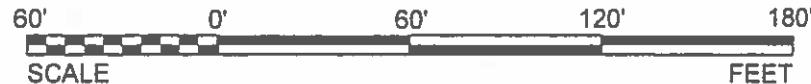
THE EAST 5 FEET OF LOT 2 AND ALL OF LOTS 3, 4 AND 5, BLOCK 3, CHURCH'S SUBDIVISION,  
CITY OF WASHBURN, BAYFIELD COUNTY, WISCONSIN



BEARINGS ARE GRID BASED - WCCS BAYFIELD COUNTY WITH THE NORTH LINE OF BLOCK 3 MEASURED TO BEAR N47°40'37"E



- ### LEGEND
- - SET 1 1/4" O.D. x 18" IRON PIPE WEIGHING 1.68 LBS PER LIN. FOOT
  - - FD. 1" O.D. IRON PIPE
  - - FD. 3/4" CAPPED REBAR
  - (200.00') - PREVIOUSLY RECORDED AS DIMENSION



**Pine Ridge Land Surveying, LLC.**  
Professional Land Surveying Services  
*Value & Quality in a Timely Manner...*  
PATRICK A. MCKUEN, PLS  
1424 1/2 LAKE SHORE DR. W.  
Ashland, Wisconsin  
Phone (715) 682-2969  
WWW.PINERIDGESURVEYING.COM  
PROJECT NO. MALCHESKI19-C.O.W.  
SHEET 1 OF 2 SHEETS

# BAYFIELD COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

THE EAST 5 FEET OF LOT 2 AND ALL OF LOTS 3, 4 AND 5, BLOCK 3,  
CHURCH'S SUBDIVISION, CITY OF WASHBURN,  
BAYFIELD COUNTY, WISCONSIN

### Surveyor's Certificate

I, Patrick A. McKuen, Professional Land Surveyor S-2992, hereby certify that I have surveyed, divided and mapped; The east 5 feet of Lot 2 and all of Lots 3, 4 and 5, Block 3, Church's Subdivision City of Washburn, Bayfield County, Wisconsin more particularly described as follows:

Beginning at the southeast corner of Lot 5 of Block 3; Thence S47°33'07"W along the south line of Lots 2, 3, 4 & 5 of said Block a distance of 154.31 feet; Thence N42°47'53"W a distance of 150.79 feet to the north line of Lot 2 of said Block which is coincident with the southerly right of way of 6th Street West; Thence N47°40'37"E along the north line of Lots 2, 3, 4 & 5 of said Block a distance of 154.86 feet to the northeast corner of Lot 5 of said Block; Thence S42°35'24"E along the east line of Lot 5 of said Block a distance of 150.45 feet to the southeast corner of Lot 5 and the Point of Beginning.

That the above described parcel of land contains 23,275 square feet or 0.53 acres.

That I have made this map at the direction of Mike Malcheski, Owner of said lands.

That said parcel is subject to any easements, restrictions and right-of-ways of record.

That I have fully complied with the provisions of Section 236.34 of Wisconsin Statutes and with the subdivision regulations of the City of Washburn in surveying, dividing and mapping said parcel.

That this map correctly and accurately depicts the exterior boundaries of said parcel and the division thereof made.

dated this 16 day of December, 2019

  
Pine Ridge Land Surveying  
Patrick A. McKuen  
WI PLS S-2992



### BAYFIELD COUNTY ZONING APPROVAL CERTIFICATE

I, SCOTT KLUVER, CITY OF WASHBURN ZONING DIRECTOR,  
DO HEREBY APPROVE THIS BAYFIELD COUNTY CERTIFIED SURVEY MAP

SIGNED: \_\_\_\_\_  
SCOTT KLUVER

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

### **Pine Ridge Land Surveying, LLC.**

Professional Land Surveying Services

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PROJECT NO. MALCHESKI19-C.O.W.

SHEET 2 OF 2 SHEETS

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**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Honorable Mayor and City Council Members  
From: <sup>SK</sup> Scott J. Kluver, Administrator  
Re: Request to Construct and Place an Informational Kiosk  
Date: December 30, 2019

Enclosed you will find a request from the Washburn Heritage Association (WHA) to place a kiosk initially at Wikdal Park, with potential other locations in the future. Information on the kiosk is enclosed, and a rough sketch of what it would look like is also included. I will let the WHA further explain and answer any questions related to the actual kiosk.

If the Council is receptive to this concept, there are a couple approvals that would need to be provided. First, the location would need to be approved. The request is for the kiosk to be placed in the park near the intersection of Bayfield Street and North 3<sup>rd</sup> Avenue West. If the Council wants a more specific location, one would have to be stated, otherwise the Public Works Director would select the final site.

The second approval would be to utilize \$10,000 from the Eric Novachek Memorial Fund for this project. As you know the City had received these funds with the stipulation that it be used for tourism and advertising. Recently, some of these funds were used to purchase way-finding signage on Bayfield Street. These signs will be placed in the spring. There is \$57,659.04 remaining in that fund, which does not include the cost of the posts for the way-finding signage, but there should be adequate funds for this project if the Council approves it.

Any future locations of kiosks would also need to be approved. I am not clear how maintenance of these kiosks would be handled at this time. Please let me know if you have any questions on the City's role in this proposed project.

## KIOSK PROJECT

**Washburn Heritage Association (WHA):** The Washburn Heritage Association was organized in 2009 to save the Civic Center from demolition. Once that building was purchased by a private party, we moved on to support the recognition of Washburn's National Register Historic District; acknowledge façade improvements along Bayfield Street; co-host, with the Washburn Area Historical Society; the ongoing Tony Woiak History Festival lectures; present neighborhood house tours; and host a narrated trolley tour of the town during Brownstone Days. Last year we gave \$14,000 to Bayfield Street businesses for façade improvements.

**Origin of the Kiosk Project:** Ginny Pedersen and Patra Holter returned from a workshop in Decorah, Iowa enthusiastic about unique kiosks on the main street that introduced town features. The kiosks added considerable charm to the downtown. A Washburn Heritage Association committee has met for a year to explore a similar installation in Washburn.

**Committee:** Washburn Heritage Association members – Patra Holter, chair, Carla Bremner, Jill Lorenz, Karen Novachek, Ginny Pedersen, and Sharon Stewart. Washburn Beautification Committee member – Kitty Wilson. We will engage the Washburn Area Historical Society and the Washburn Chamber of Commerce when it is time to develop display content.

**Purpose of the Kiosks:** The kiosks will beautify the community, engage visitors and residents, and create a welcoming and unique point of interest for the town. Kiosk displays will transmit information about Washburn history and promote general city-wide events.

**General design:** A four-sided structure with overhanging roof roughly 4' x 4' x 10' will feature display windows on four sides to post historical, directional, and local event content. Craftsmen design features will reflect our local community architecture. Information for the long-term displays will be printed onto fade and moisture resistant media.

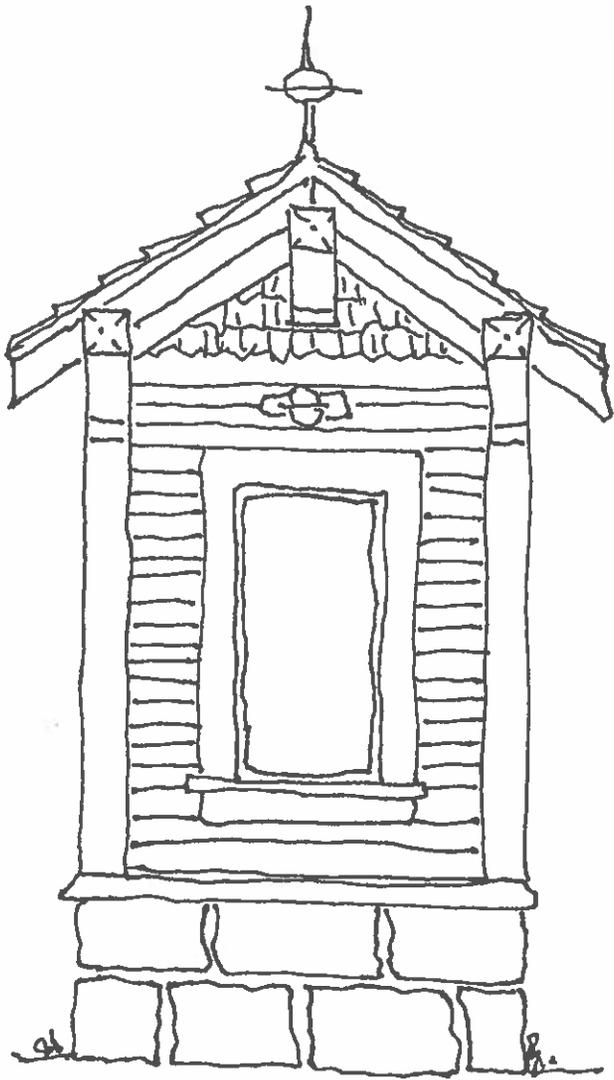
**Progress:** We have tentatively secured \$10,000 from the Eric Novachek Memorial Fund to construct one kiosk. We have a draft measured-building-plan and two qualified project managers who have agreed to oversee kiosk construction.

**Location:** We propose to locate the kiosk in Wikdal Park at 3<sup>rd</sup> Avenue West. With support and funding, we envision additional sites along Bayfield Street and second-phase sites at West End Park, Memorial Park, and the Coal Dock.

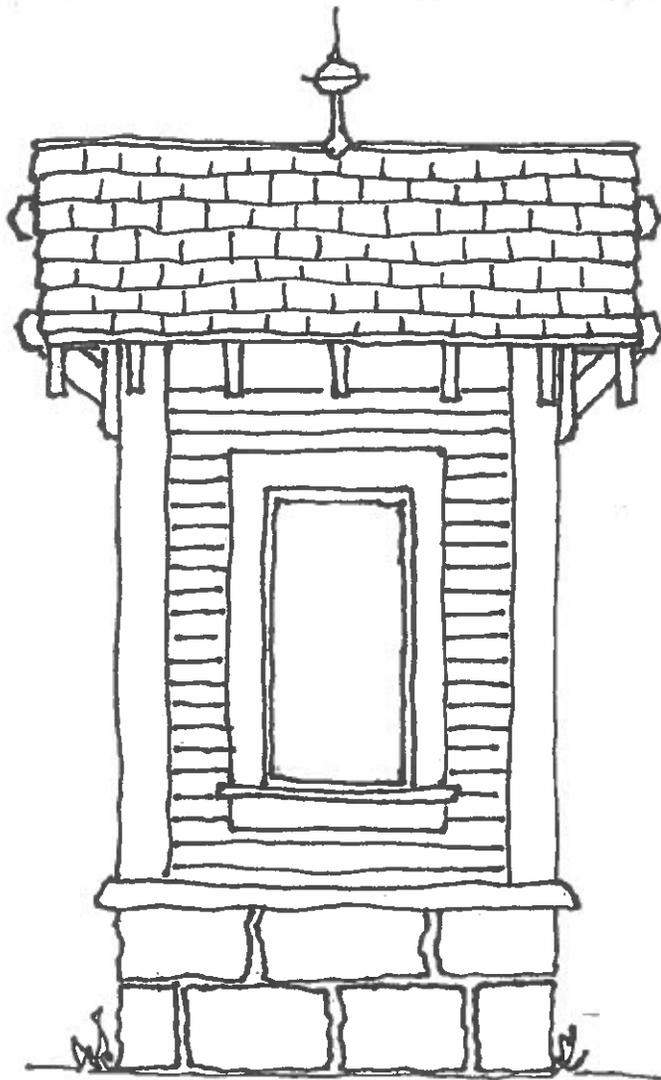
### **Next Steps:**

- Gain approval for the city's ownership and funding of the kiosk.
- Work with the Washburn City Public Works Director to select a final location and develop a site plan.
- Identify content for display.
- Continue to raise funds.
- Establish long-term committee to monitor the ongoing project, develop new content, and maintain the kiosks.

~ Washburn Heritage Association ~  
~ Proposed Kiosk Project ~



front



side



rear

**5**

**CITY OF WASHBURN**  
**119 Washington Avenue**  
**P.O. Box 638**  
**Washburn, WI 54891**



**715-373-6160**  
**715-373-6161**  
**FAX 715-373-6148**

To: Honorable Mayor and City Council Members  
From: Scott J. Kluver, Administrator  
Re: A Tribute to Niles Eilertsen  
Date: January 2, 2020

Recently, several members of the community have approached me with a suggestion/request that the City recognize Niles Eilertsen for his work and dedication to the youth of the community. Certainly Mr. Eilertsen has been a fixture of the community and has assisted the City in many ways. Besides being a campground attendant for many years, Mr. Eilertsen has been an attendant at the ice-skating rink from 1994 to present. Perhaps most importantly, Mr. Eilertsen taught little league baseball to local youth since moving to Washburn in 1974 up until at least 2005.

Behind the scenes, we have been looking at what might be an appropriate tribute to Mr. Eilertsen for his years of service. In reviewing the Memorial/Tribute/Naming Policy the City has in place, I believe that it would be appropriate to consider the placement of a tribute plaque that outlines the service Mr. Eilertsen has provided to the City and to the youth of the community. Now this would not be naming a facility after him as that would not be allowed by policy at this time; however, it would provide deserved recognition and set up the potential for naming a facility in the future.

At this time, I do not have a specific location or wording of a tribute plaque beside it being in the vicinity of the athletic fields; however, if the Council is agreeable to this idea, I believe that there would be a number of people that would be willing to work to help with the details. Ideally, if this goes forward, a dedication could occur in the spring/summer.

Please let me know if you have any questions on this matter.

The City may agree to take on future maintenance costs and shall consider the following criteria when making such decision.

- The community's need or desire for the donation or improvement;
- Whether, and to what extent, the proposed gift/donation provides new or diverse experiences for community members and visitors;
- The financial capacity of the donor;
- Ease of maintenance and repair; and
- Whether the annual maintenance cost is so low as to be negligible.

The City shall also consider that circumstances may arise which may prevent a donor or previously established maintenance fund from covering the costs of maintenance and care and that these costs may ultimately become a City responsibility.

#### Works of Art –

In addition to the above-listed criteria, if the proposed gift/donation is a Work of Art, the following criteria shall be considered as well as any other criteria which may be relevant on a case by case basis:

- Quality of the work based upon a professional assessment of the work, detailed written proposal, drawing or maquette or photographs
- Suitability of the theme of artwork to a public venue
- Appropriateness of the artwork to the site, in the case where a particular site has been requested or identified
- Appropriateness of the process for selecting the artist or artwork
- Qualifications of the artist based on documentation of past work and the artist's professional qualifications

#### Memorials / Tributes / Naming –(Note: 082018 – benches and trees exempt from five year rule)

The City of Washburn respects the desire of individuals to commemorate special events or the lives of loved ones, living and deceased. However, the City also recognizes that other community members who visit public places may desire not to be burdened with a constant reminder of mortality, death or traumatic events. The City also recognizes the important contributions of many individuals to community life and that it is simply impossible to recognize all of those contributions. To that end, if the proposed gift/donation is a Memorial or Tribute or a non-commercial request to name a public space or other item, the City of

Washburn shall consider the following criteria, as may be appropriate to the particular donation, in addition to those criteria identified above.

- The person memorialized must have been deceased for a minimum of five (5) years; or an event must have occurred at least five (5) years ago.
- The proposed donation must have timeless qualities and make a statement of significance for future generations
- The proposed donation must represent a person or event deemed significant to the City of Washburn's history; names of individuals who have made a significant contribution directly and locally to the City of Washburn shall be preferred over the names of national figures
- The proposed donation must meet the general criteria enumerated in this policy
- Whether any increased use of the park or public area resulting from the placement of the memorial or tribute is appropriate to the surrounding context and uses
- Whether the design of the particular donation is solely representative of the particular person or event being commemorated or is of a broader community appeal
- Whether the proposed donation has a functional component
- Whether the individual or group is associated with the particular building, park or other public facility at issue
- When possible, the family should be contacted and allowed an opportunity to comment upon the naming of a building, park or facility after an individual
- In and of themselves, contributions of land or money for public facilities shall not be considered sufficient justification for naming or renaming facilities after individuals, in tribute or memoriam

### **Donor Recognition Objects**

The City of Washburn appreciates the desire of some donors to be recognized either personally or on behalf of another for their generous donations. If a donor recognition object is to be included as part of a proposed gift/donation, such object should be specifically identified and submitted with the Donation Agreement Form for approval. In general, it is the policy of the City of Washburn to limit donor recognition objects to plaques or other recognition objects which are small in scale, which do not detract from green space areas and/or which are part of an approved project involving the use of personalized decorative tiles or pavers. The City Administrator and Department Heads are hereby authorized to approve Donor Recognition Objects which are proposed in accordance with this policy.

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119 Washington Avenue  
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Washburn, WI 54891



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FAX 715-373-6148

To: Honorable Mayor and City Council Members  
From: Scott J. Kluver, <sup>SK</sup> Administrator  
Re: Sex Offender Residency Restriction Ordinance  
Date: December 31, 2019

For your consideration and approval is a proposed ordinance related to residency restrictions for sex offenders. This proposed ordinance has been redrafted and tweaked over the past year, and there are several policy considerations for the Council to consider related to this ordinance.

Those policy considerations are focused in two areas: 1) the types of sex offences that are covered by this ordinance, and 2) the locations where the 500-foot buffer applies. The types of offences covered defined in section (b)(9) of the ordinance, and I will let our Attorney and/or Police Chief answer questions related to those offences. The other major area that needs to be considered is the locations where the 500-foot buffer applies. Now, for this ordinance to be Constitutional, there must be locations within the City where a sex offender can live. Staff believes that with the locations that are currently listed and shown on the map, there are adequate locations within the City that would hold up to a Constitutional challenge.

Any of the locations that are defined in section (b)(7) are up for discussion, and it is very important that this be reviewed carefully. Since this ordinance has been drafted and staff have reviewed it several times, there have been a couple locations that have come up that we need direction on. Those questions are 1) should privately owned trails be included? Example – former railroad grade that runs proximate to Memorial Park is privately owned but has been allowed by the owner for some public use. 2) Should the Snowmobile/ATV/Bicycle trail that runs through the City be included? 3) Should parcels that contain parsonage houses next to religious facilities be included? They are currently included on the draft map, and are next to and within the buffer of their respective churches; however, should the parsonages themselves be considered a safe zone facility which in turn extends the buffer slightly?

Please review the map carefully and consider if there are any other facilities that we may be missing. Know that the way this ordinance is drafted, if there is any portion of a parcel that falls within a safety zone, it would not be allowed to be used as a residence for a sex offender. Without this provision, administration of this ordinance would be very difficult. Also note that the Plan Commission is the body that is proposed to hear appeals on matters related to this ordinance.

This proposed ordinance is complex and there is the potential for a lot of consequences for this ordinance, both intended and unintended. Please ask me questions as you have them so I can get answers in time for the meeting. Chief Johnson and Attorney Lindsey are planning to be in attendance at the upcoming Council meeting.

**DRAFT**

**CITY OF WASHBURN  
Ordinance No. 20-001**

An ordinance adopted by the Common Council for the City of Washburn at its regular meeting of January 13, 2020, for the purpose of amending Title 11, Chapter 5, Section 9 of the City's Code of Ordinances to amend the enforcement procedure and penalties for juvenile ordinances. Ordinance § 11-5-9 shall be amended to read as follows:

1. Amend Title 11, Chapter 5, Section 9 as follows:

**Sec. 11-5-9 Sexual Offender Residency Restrictions.**

(a) **Findings, Recitals and Intent.**

(1) **Recitals.**

The Common Council of the City of Washburn promulgates this ordinance enactment to protect and improve the health, safety and welfare of the citizens of the City and particularly its children.

(2) **Findings and Intent.**

- a. Repeat sexual offenders, sexual offenders who use physical violence, and sexual offenders who prey on children are sexual predators who present an extreme threat to the public health, welfare and safety. Sexual offenders are extremely likely to use physical violence and to repeat their offenses; and most sexual offenders commit many offenses, have many more victims that are never reported and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.
- b. According to a 1997 report by the United States Department of Justice, sex offenders have high rates of recidivism which are much higher than recidivism rates for other types of violent crimes. Sex offenders are the least likely to be cured and the most likely to re-offend and prey on the most vulnerable members of the community.
- c. While Federal and State Fair Housing Statutes prohibit unlawful discrimination, they do not extend the same protections to a sex offender (as herein defined) with respect to a place of residency (as herein defined) where a Safety Zone (as herein defined) has been established.
- d. The City of Washburn finds and declares that repeat sexual offenders who use physical violence and sexual offenders who prey on children are sexual offenders who present an extreme threat to the public safety and health of children. Sexual offenders are very likely to use physical

violence and to repeat their offenses. Most sexual offenders commit numerous offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large and the community where they reside, while incalculable, clearly exorbitant. Such persons present a significantly high risk of re-offending once released. As such, the City hereby establishes regulations which restrict certain offenders from residing or congregating in areas which are at or near where there is a high concentration of children in order to provide better protection for children in the City by minimizing immediate access and proximity to children and thereby reducing the opportunity and temptation for recidivism.

- (3). ***Intent.*** It is the intent of this Section not to impose a criminal penalty or punish sex offenders, but rather to serve the City of Washburn's compelling interest to promote, protect, and improve the health, safety and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers, wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residence.

(b) **Definitions.** The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them as follows, except where the context clearly indicates a different meaning.:

- (1) ***Child/Children.*** A person under the age of eighteen (18).
- (2) ***Designated Offender (Sex Offender).*** Any person who is required to register under Sec. 301.45, Wis. Stats., or any person who is required to register under Sec. 301.45, Wis. Stats., and who has been designated a Special Bulletin Notification (SBN) sex offender pursuant to Sec. 301.46(2) and (2m), Wis. Stats. Included in this definition is a person who has been convicted of, or has been found delinquent of, or has been found not guilty by reason of disease or mental defect of a "sexually violent offense" and/or a "crime against children". This definition does not include a person who is released under Sec 980.04, Wis. Stats., so long as the person is subject to supervised release under Chapter 980, Wis. Stats., the person is residing where he or she is ordered to reside under §980.08, Wis. Stats., and the individual is in compliance with all court orders issued under Chapter 980, Wis. Stats.

- (3) ***Loitering.*** Whether in a group, crowd, or as an individual, to stand idly about, loaf, prowl, congregate, wander, stand, linger aimlessly, proceed slowly or with many stops, to delay or dawdle.

- (4) **Minor.** A person under the age of eighteen (18).
- (5) **Residence, Permanent.** A place where the person abides, lodges or resides for fourteen (14) or more consecutive days.
- (6) **Residence, Temporary.** A place where the person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent address or a place where the person routinely abides, lodges, or resides for a period of four (4) or more consecutive or non-consecutive days in any month and which is not the person's permanent address. Such Temporary Residence may be mobile or transitory and includes, but is not limited to, recreational vehicles and boats.
- (7) **Safety Zones.** Any real property that supports or upon which there exists any facility used for children, including, but not limited to:
- a. A public park, parkway, park facility, recreation area, beach, marina, theater, conservancy area or similar area or facility held open for use by the public for active or passive leisure purposes. Also included are any privately-owned neighborhood parks and open spaces where children congregate such as those owned by a homeowner's association of a subdivision and privately owned theaters that offer children's programming.
  - b. A swimming pool or splash pad where children swim, wade or splash in a pool or other aquatic facility held open by the public or where no lifeguard is on duty and children are known to congregate.
  - c. A library which is open for use by the public where such library includes a collection of material specifically intended for children.
  - d. A public recreational trail or path where children regularly walk, ride bicycles, or ride horses, and that is dedicated to the public for recreation purposes or intended for public use.
  - e. A playground which is any public outdoor area set aside for recreation and play and includes any area with playground equipment including, but not limited to, swings, slides, play structures, sandboxes, and seesaws.
  - f. A school property serving children. Included are any public school as defined by Sec. 115.01(1), Wis. Stats.; a private school as defined by Sec. 115.001(3); a charter school as defined by Sec. 115.001(1) Wis. Stats.; a specialty school, including but not limited to, a Montessori school, gymnastics academy, dance academy, or music school.
  - g. Athletic fields and facilities used by children for organized and/or informal athletic activities. This includes public athletic fields and private athletic fields if open to the public.
  - h. A licensed day care center that has been licensed under Sec 48.65, Wis. Stats., to provide care and supervision of children, and includes before and

after school daycare, which has the meaning as defined by Sec. 120.125(1), Wis. Stats.

- i. A ski hill or sledding hill open to the public.
  - j. A public or private golf course or range.
  - k. A place of worship, church, synagogue, mosque, temple or other house of religious worship (“church”), not including cemeteries.
  - l. Any facility for children (which means a public or private school, a group home, as defined in Section 48.02(7), Wis. Stats.; a residential care center for children and youth, as defined in Section 48.02(15d), Wis. Stats.; a shelter care facility, as defined in Section 48.02(17), Wis. Stats.; a foster home, as defined in Section 48.02(6), Wis. Stats.; a treatment foster home, as defined in Section 48.02(17g), Wis. Stats.; a day care center licensed under Section 48.65, Wis. Stats.; a day care program established under Section 120.13(14), Wis. Stats.; a day care provider certified under Section 48.651, Wis. Stats.; a youth center, as defined in Section 961.02(22), Wis. Stats.
- (8) **Sexually Violent Offense.** Shall have the meaning as set forth in Sec. 980.01(6), Wis. Stats., as amended from time to time.
- (9) **Crimes Against Children.** Shall mean any of the following offenses set forth within the Wisconsin Statutes, as amended, or the laws of this or any other state or federal government, having like elements necessary for conviction, respectively:

- 940.225(1) First Degree Sexual Assault
- 940.225(2) Second Degree Sexual Assault
- 940.225(3) Third Degree Sexual Assault
- 940.22(2) Sexual Exploitation by Therapist
- 940.30 False Imprisonment- Victim was Minor and not the Offender’s Child
- 940.31 Kidnapping-Victim was Minor and not the Offender’s Child
- 944.02 Rape (prior statute, see now 940.225)
- 944.06 Incest
- 944.10 Sexual Intercourse With a Child (prior statute, see now 948.02)
- 944.11 Indecent Behavior With a Child (prior statute, see now 948.02)
- 944.12 Enticing Child for Immoral Purposes (prior statute, see now 948.07)
- 948.02(1) First Degree Sexual Assault of a Child
- 948.02(2) Second Degree Sexual Assault of a Child
- 948.025 Engaging in Repeated Acts of Sexual Assault of the Same Child
- 948.05 Sexual Exploitation of a Child
- 948.055 Causing a Child to View or Listen to Sexual Activity
- 948.06 Incest With a Child
- 948.07 Child Enticement
- 948.075 Use of a Computer to Facilitate a Child Sex Crime
- 948.08 Soliciting a Child for Prostitution

948.095	Sexual Assault of a Student by School Instructional staff
948.11(2)(a) or (am)	Exposing a Child to Harmful Material (felony sections)
948.12	Possession of Child Pornography
948.13	Convicted Child Sex Offender Working With Children
948.30	Abduction of another's Child
971.17	Not Guilty By Reason of Mental Disease or an Included Offense
975.06	Sex Crime Law Commitment

- (c) **Sexual Offender and Sexual Predator Residency; Prohibitions; Penalties; Exceptions.**
- (1) ***Prohibited Location of Residence.*** It is unlawful for any designated offender to establish a permanent residence or temporary residence on any parcel of which any portion of said parcel is located within Five Hundred (500) feet of any Safety Zone property/use enumerated in Subsection (b)(7), or any other place designated by the City of Washburn as a place where children are known to congregate.
  - (2) ***Prohibited Activity.***
    - a. ***Loitering.*** It is unlawful for any designated offender to loiter within Five Hundred (500) feet of any Safety Zone property/use enumerated in Subsection (b)(7) or any other place designated by the City of Washburn as a place where children are known to congregate.
    - b. ***Holiday Events/Parties.*** It is unlawful for any designated offender to participate in a holiday event involving children under eighteen (18) years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Clause costume, or wearing an Easter Bunny costume or any costume resembling a character known to be popular among children. Holiday events in which the offender is the parent or guardian of the children involved, and no non-familiar children are present, are exempt from this Subsection. "Participation" is to be defined as actively taking part in the event.
  - (3) ***Measurement of Distance.***
    - a. For purposes of determining the minimum distance separation under this Section, the distance requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to the nearest outside property line of the protected location designated by the City of Washburn as a Safety Zone property/use per Subsection (b)(7) above where children are known to congregate.
    - b. The City Administrator-Clerk shall maintain an official map showing prohibited locations and Safety Zones as defined by this Section. The City Administrator-Clerk shall update the map at least annually to reflect any changes in the location of the prohibited zones. These shall be designated on the map as child safety zones. The map is to be displayed in the Office of the City Administrator-Clerk
  - (4) ***Violations; Penalties.*** A person who violates this Section shall be punished by forfeiture per Section 1-1-7, Each day a person maintains residence in violation of this Section constitutes a separate violation. The City of Washburn may also seek equitable relief.

- (5) **Exceptions.** A designated offender residing within a prohibited area as described in Subsection (c)(1) does not commit a violation of this Section if any of the following applies:
- a. The person established the permanent residence or temporary residence and reported and registered the residence pursuant to Section 301.45, Wis. Stats., before the original effective date of this Section.
  - b. The person is a minor or ward under guardianship and is not required to register under Sections 301.45 or 301.46, Wis. Stats.
  - c. The protected location within Five Hundred (500) feet of the person's permanent residence was opened after the person established the permanent residence and reported and registered the residence pursuant to Section 301.45, Wis. Stats.
  - d. The residence is also the primary residence of the person's parents, grandparents, spouse, domestic partner, or children provided that such party established the residence at least one (1) year before the designated offender established the residence at the location.
  - e. In such case involving a juvenile placed in accordance with the exception, when the juvenile turns eighteen (18) years of age, the juvenile would be allowed to continue to reside at the already established residence.
  - f. The person is a designated offender that has been adjudicated a sexually violent person pursuant to Chapter 980, Wis. Stats., if the designated offender is subject to supervised release under Chapter 980, Wis. Stats, the designated offender is residing where he or she is ordered to reside under Sec. 980.08, Wis. Stats., and the offender is in compliance with all court orders issued under Ch. 980, Wis. Stats.
- (d) **Property Owners Prohibited From Renting Real Property to Certain Sexual Predators and Sexual Offenders; Penalties.**
- (1) **Prohibition.** It is unlawful to let or rent any space, structure, or part thereof, trailer, or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to this Section, if such place, structure, or part thereof, trailer, or other conveyance is located within Five Hundred (500) feet of a protected location zone described in Subsection (c)(1). A person letting or renting a place or structure shall be deemed to have such knowledge if, at least ten (10) days prior to letting or renting the place or structure, the sex offender's name appears on the Wisconsin Department of Correction's sex offender registry and the person letting or renting the place knew the sex offender would be residing at the subject place or structure.
  - (2) **Violations; Penalties.** A property owner's failure to comply with the provisions of this Subsection shall constitute a violation of this Section, and shall subject the property owner to the Code enforcement provisions in Subsection (c)(4) as provided in this Section. Each day a violation continues shall constitute a separate offense.

(e) **Safety Zones.**

- (1) ***Presence Regulated.*** A sex offender shall not enter upon or be present upon a property within a Safety Zone under this Section.
- (2) ***Safety Zone Exceptions.*** A sex offender who enters upon or who is present upon or within a safety zone does not commit a violation of this Subsection if any of the following apply:
  - a. The property also supports a church, synagogue, mosque, temple or other house of religious worship, subject to all of the following conditions:
    1. The sex offender's entrance and presence upon the property occurs only during hours of worship or other religious program/service as posted to the public; and
    2. The sex offender shall not participate in any religious education programs that include individuals under the age of eighteen (18).
  - b. The property also supports a use lawfully attended by a sex offender's natural or adopted children, which a child's use reasonably requires the attendance of the sex offender as the child's parent upon the property, subject to the following condition:
    1. The sex offender's entrance and presence upon the property occurs only during the hours of activity related to the use as posted to the public.
    2. Written advance notice is made from the person to an individual in charge of the use upon the property and approval from an individual in charge of the use upon the property as designated by the owner of the use upon the property is made in return, of the attendance by the sex offender.
  - c. The property also supports a polling location in a local, state or federal election, subject to all of the following conditions:
    1. The sex offender is eligible to vote;
    2. The property is the designated polling place for the sex offender, and
    3. The sex offender enters the polling place property, proceeds to cast a ballot with whatever usual and customary assistance is to any member of the electorate, and vacates the property immediately after voting.
  - d. The property also supports a school lawfully attended by a sex offender as a student under which circumstances the sex offender may enter upon the property supporting the school at which the sex offender is enrolled, for such purposes and at such times are as reasonably required for the educational purposes of the school.
  - e. The property also supports a court, government office or room for public governmental meetings, subject to all of the following conditions:
    1. The sex offender is on the property only to transact business at the government office or place of business, other than a public library, or attend an official meeting of a governmental body; and
    2. The sex offender leaves the property immediately upon completion of the business or meeting.

- (3) **Violations; Penalties.** A person who violates this Subsection shall be punished by a forfeiture per Section 1-1-7. Each day a violation continues shall constitute a separate offense.
- (f) **Injunctions and Other Penalties for Violations.** Neither the issuance of a citation nor the imposition of forfeiture hereunder shall preclude the City of Washburn from seeking or obtaining any or all other legal and equitable remedies to prevent or remove a violation of this Chapter. If an offender establishes a residence in violation of Subsections (c) or (d) above, or enters or is present upon or within a Safety Zone in violation of Subsection (e) above, the City Attorney may bring an action in the name of the City of Washburn in circuit court to permanently enjoin any such violation as a public nuisance.
- (g) **Appeals.**
- (1) **Appeals Body.** A designated offender may seek an exemption, waiver or modification from this Section by appealing to the Plan Commissioner. The above requirements may be waived or modified upon approval of the City of Washburn Plan Commission through appeal by the affected party. Such appeal request shall be made to the City Administrator-Clerk, who shall forward the request to the Plan Commission.
- (2) **Hearing Notice.** The Plan Commission shall hold a public hearing on the appeal. Notice in the form of an agenda shall be published/posted as required by state law and be provided to the members of the Plan Commission, the applicant, and the property owner if not the applicant. Such agenda notice shall be provided a minimum of seven (7) days prior to the hearing date.
- (3) **Hearing: Considerations.** The Plan Commission shall hold a hearing on each appeal to conduct a risk assessment in each case, during which the Plan Commission may review any pertinent information and may accept oral or written statements from any person. The Plan Commission shall request and receive reports from law enforcement authorities serving the City on such appeal. The Plan Commission shall consider the public interest as well as the applicant's presentation and concerns, giving the applicant a reasonable opportunity to be heard. The Plan Commission shall also consider any written, e-mailed or oral statements from any person at the hearing or received in advance of the hearing in the case of written or emailed comments. The Plan Commission shall consider the specific circumstances and facts of each applicant and determine whether the applicant poses a threat to public safety if he or she resides at that proposed location. The Plan Commission shall consider factors which may include, but are not limited to, the following:
- a. Circumstances surrounding the offense.
  - b. Relationship of the offender and the victim.
  - c. Presence or use of force with the offense.
  - d. Presence of enticement.
  - e. Need to protect the victim or similarly situation individuals.
  - f. Current dangerousness of the offender.
  - g. Proximity in time from the original offense.

- h. Duration of incarceration and subsequent time out.
  - i. Current supervision status by the Wisconsin Department of Corrections.
  - j. Counseling and treatment history.
  - k. Any criminal offense or regulatory violations committed since the original offense.
  - l. Credibility of the offender/applicant.
  - m. Remorse.
  - n. Proximity of proposed residence to a Safety Zone.
  - o. Support network of offender near proposed residence.
  - p. Alternative options for housing.
- (4) **Determination.** The Plan Commission shall decide by majority vote whether to grant or deny an exemption or modification. An exemption decision may be unconditional or be conditional to a specific address or period of time. After deliberation and determination, the Plan Commission shall forward its written decision to the applicant, City Administrator-Clerk, and to the law enforcement authorities serving the City of Washburn for their information and action. The decision of the Plan Commission may be appealed to the circuit court by any aggrieved party within thirty (30) days of the final receipt of the final decision. The review shall be by certiorari and the circuit court may affirm or reverse the final decision, or remand the decision to the decision maker for further proceedings consistent with the court's decision.

**SECTION II. SEVERABILITY.**

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

**SECTION III. EFFECTIVE DATE.**

This Ordinance shall take effect upon passage and publication as provided by law.

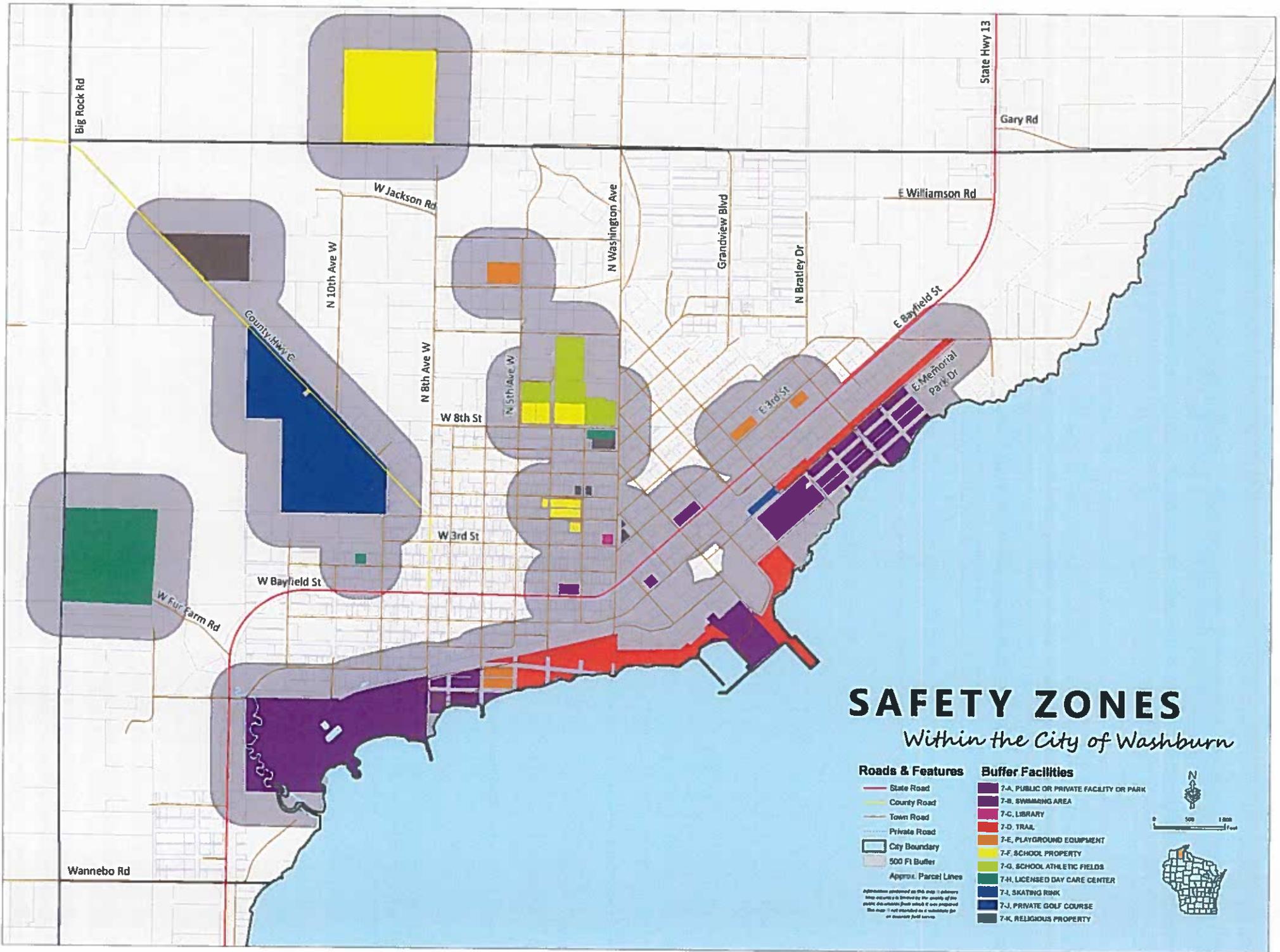
Attest:

\_\_\_\_\_  
 Richard Avol  
 Mayor

\_\_\_\_\_  
 Scott J. Kluver  
 City Clerk

Adopted: \_\_\_\_\_

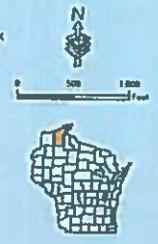
Published: \_\_\_\_\_



# SAFETY ZONES

*Within the City of Washburn*

- | Roads & Features   | Buffer Facilities                       |
|--|---|
| State Road   | 7-A. PUBLIC OR PRIVATE FACILITY OR PARK |
| County Road  | 7-B. SWIMMING AREA                      |
| Town Road  | 7-C. LIBRARY                            |
| Private Road   | 7-D. TRAIL                              |
| City Boundary  | 7-E. PLAYGROUND EQUIPMENT               |
| 500 Ft Buffer  | 7-F. SCHOOL PROPERTY                    |
| Approx. Parcel Lines   | 7-G. SCHOOL ATHLETIC FIELDS             |
| <small>Approximation presented on this map is advisory. Map accuracy is limited by the quality of the public data sources from which it was prepared. This map is not intended as a substitute for an accurate field survey.</small> | 7-H. LICENSED DAY CARE CENTER           |
|  | 7-I. SKATING RINK                       |
|  | 7-J. PRIVATE GOLF COURSE                |
|  | 7-K. RELIGIOUS PROPERTY                 |



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**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Honorable Mayor and City Council Members  
From: Scott J. Kluver, Administrator <sup>SSK</sup>  
Re: Police Policy on Kinetic Energy Weapons (Bean Bag Gun)  
Date: December 19, 2019

For your consideration and approval is a draft policy for the Police Department on the use of kinetic energy projectile weapons. The purpose of this policy is to outline the proper procedures for the use of this weapon which is intended to be a less than lethal weapon.

This policy was crafted by our department after review of policies from several other departments, and it has also been reviewed by the City Attorney. As for costs to implement this policy, it would be minimal. A standard shotgun can be converted to meet the guidelines outlined in the policy. One has already been converted for testing and demonstration purposes and would be used if the policy is approved.

Chief Johnson is planning to be in attendance at the upcoming Council meeting, but as always, we appreciate any questions you may have in advance in order to have the answers for you at the meeting.

## **SEC. 3-8-19 KINETIC ENERGY PROJECTILE WEAPONS AND GUIDELINES**

DRAFT

### **PURPOSE**

The purpose of this policy is to provide guidance and direction on the use of Kinetic Energy Projectile's (KEP) also known as Kinetic Energy Munitions (KEM).

### **POLICY**

It is the policy of this agency to use objectively reasonable force to control or overcome the resistance put forth by individuals who are violent, suicidal, exhibiting threatening or potentially violent behavior, or physically resisting arrest or detention. KEPs or KEMs may be used by authorized and trained personnel in accordance with this use-of-force policy and additional guidelines established herein.

### **DEFINITIONS**

Kinetic Energy Projectile's or Kinetic Energy Munitions are flexible baton rounds also known as less lethal bean bag rounds. A bean bag round is a generally non-lethal projectile fired from a normal 12-gauge shotgun.

### **PROCEDURES**

#### **A. Authorized Users**

Only those who have successfully completed this agency's approved initial and in-service training programs are authorized to use a KEP or KEM.

#### **B. Weapon Readiness**

1. Only an approved 12 Gauge Shotgun shall be used. Approval shall be made by the Chief of Police.
2. The designated shotgun shall be painted bright orange or bright red to show that the designated shotgun is to only be used for less lethal Kinetic Energy Projectiles (KEP) or Kinetic Energy Munitions (KEM).
3. The shotgun shall always be left unloaded while in transport on normal patrol. Unloaded means no munitions stored in the shotgun chamber or in the sealed tube magazine or removable magazine if the shotgun is equipped with one. Munitions may be carried in an external carrier outside of the shotgun such as the side of the shotgun receiver.
4. No lethal munitions such as buck shot, bird shot, or slugs shall ever be used in a designated less lethal shotgun.
5. Any damaged munitions should not be used.
6. Only manufacturer approved Kinetic Energy Projectiles (KEP) and Kinetic Energy Munitions (KEM) shall be used.
7. No modifications or repairs shall be performed on any KEPs or KEMs unless authorized by the manufacturer or Police Chief.
8. Cleaning, maintenance and inspection to designated less lethal shotguns should be done on a regular basis to maintain readiness of the shotgun.

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### C. Deployment and Use

Kinetic Energy Projectiles or Kinetic Energy Munitions, when used properly are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

Only Washburn Police Department approved Kinetic Energy Munitions or Projectiles shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for the deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles, or other dangerous projectiles at people or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

Target area for deployment:

- (a) Primary Target Areas (legs and Buttocks): The arms may also be targeted as a primary target under some circumstances. The officer shall consider the proximity of the targeted portion of the arm to vital areas of the body. Primary target areas shall be considered when incapacitation is necessary but the threat is not imminent. Multiple impacts to primary target areas should be considered before progressing to the secondary target area.
- (b) Secondary Target Area (Lower Abdomen): The secondary target area will be considered when incapacitation is critical due to the imminent threat posed by the subject.
- (c) Head/Neck/Chest Area- Intentional impact to these areas will be avoided unless the use of deadly force is justified.

### D. Deployment Considerations

Less Lethal Impact Projectiles are not a substitute for lethal force. Therefore, Less Lethal Weapons shall not be deployed unless another officer, providing cover with a lethal firearm, is also available on scene.

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subjects clothing.

DRAFT

- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of Kinetic Energy Projectiles or Kinetic Energy Munitions appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the subject poses an imminent threat of serious bodily injury or death to officers or others.

#### E. Post Deployment Considerations

When a Kinetic Energy Projectile or Munition has been deployed, and if this projectile or munition strikes the targeted subject, officers shall ensure the person is monitored for injury as soon as practical after the person is in custody or under physical control of the officers. In all cases, as soon as practical, EMS shall be summoned to the scene or location of prisoner transport. The prisoner shall be evaluated by EMS staff. If the subject that was struck refuses medical evaluation from EMS staff or if the subject refuses to be transported to the hospital it shall be up to the officer's discretion if further treatment or medical clearance should be done at a hospital.

Photographs should be taken of impact areas and any injuries resulting from the use of Less Lethal Impact Projectiles. Any photographs taken shall be retained by the Washburn Police Department with the incident report.

#### F. Safety Procedures

Shotguns specifically designated for use with Kinetic Energy Projectiles or Kinetic Energy Munitions will be specially marked in bright orange or red color that makes them readily identifiable as such.

Officers will routinely inspect the shotgun and projectiles and munitions to ensure that the shotgun is in proper working order and projectiles and munitions are of the approved type and appear to be free of defects.

When deploying the Kinetic Energy Projectile Shotgun, the officer shall visually inspect the Kinetic Energy Projectiles and Munitions to ensure that conventional ammunition is not being loaded into the

shotgun. **Conventional shotgun ammunition shall not be carried in vehicles equipped with less lethal shotguns.**

**G. Training for Kinetic Energy Projectiles and Munitions**

The Designated Training Supervisor shall ensure that all officers and personnel who are authorized to carry and use Kinetic Energy Projectile Shotgun have been properly trained and that officers and personnel are retrained or recertified as necessary.

**H. Reporting use of Kinetic Energy Projectiles and Munitions**

Any application of a Kinetic Energy Projectile or Munition listed in this policy shall be documented in the related incident report and reported pursuant to Washburn Police Department Use of Force Policy. The narrative report of an officer who deploys Less Lethal Impact Projectile(s) shall minimally include the following:

1. Subject (actions, weapons(s) involved)
2. Estimated distance to subject at time of deployment
3. Number of projectiles fired and impact locations of each
4. Medical attention and aftercare
5. Other pertinent information supporting the officer's decision to deploy Less Lethal Impact Projectiles

**I. Evidence**

Once the subject and scene have been secured, an attempt shall be made to photograph and recover the fired projectile(s) and shell casing(s) and shall be retained as evidence.

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**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Scott Kluver, Washburn City Administrator  
From: Bob Anderson, Director of Public Works  
Re: City Wide Water Meter Replacement  
Date: December 26, 2019

The City's Water Meters are required by statute to be replaced or calibrated every 10 years. This has not been a status that was reported annually but will be changing next year. DNR will begin tracking this information in 2020.

The majority of water meters in the City were last replaced over 10 years ago. Only damaged meters have been replaced since the last project. This leaves the City in a position to receive a violation from DNR that could have severe impacts. It is my belief that if we have a plan in place to address this issue, the DNR will work with us to mitigate existing conditions. Not having the meters all replaced next year is an option that carries a risk that we can avoid by performing a project to replace all our meters next year. This would carry a significant financial burden that would have to be overcome.

To move forward and move into compliance we have several options we could pursue:

- Install all new meters in a single year.
- Install new meters in a phased approach that could be stretched out over multiple years.
- Calibrate and reuse the existing meters.
- And the always present do nothing option and face any consequences.

### **Install New Meters in a Single Year**

It is my belief the City would be better off to fund a total meter replacement project next year to avoid noncompliance and maintain our current good standing with staff at DNR. We anticipate that the DNR will work with us on a phased plan as long as we have identified what that is, but it also carries an inherent risk of receiving a violation.

This approach also comes with multiple options:

- Install new meters using contract services
- Install new meters supplementing our Utilities Staff with assistance to complete meter replacements.
- Install new meters using Utility Staff.

### Installation Using Contract Services

We have obtained an estimate from Hydro Corp who offer meter replacement services and they have provided an estimate of \$95/meter that would include all coordination with residents and businesses to schedule the work, the actual meter change out, a cross control inspection at each location, and document all sump pumps in the City and any issues they present which is a new mandate that we anticipate will be implemented in the next few years. They have committed to completing all of the City's meter change-outs in six weeks. With 901 meters within the City this would amount to a contract of approximately \$86,000. This is a very attractive offer as it would complete all the mandatory cross control inspections at the same time and would allow us to pursue a very real option of changing to a 20 year replacement/calibration schedule which would be a large benefit to the City in the future.

Changing meters in a single year would also allow us to benefit from the new technology being offered in metering. Based on the model of meter purchased the new meters can provide real time metering each hour, drive by or cell transmitted meter readings, and low temperature alarms at each service. Together these new characteristics would save the City more than 35 hours per quarter for meter readings, allow us to go to a 20-year change out schedule, and increase our cross control inspection frequency to 20 years for residential services, both which are currently on a 10-year schedule

### Install Meters with Supplemented Utilities Staff

During the last meter change out project we utilized in house staff supplemented with seasonal position. This effort took two years to complete while pulling our resources into multiple directions. I do not support this option because of the length of time it would take to complete the work and because we already have ample work that needs to be performed across the city. This option carries risk of being non-compliant with DNR. It would also preclude us from switching to the new technology meters since it requires new software including billing software which cannot be mixed with our current system.

### Install Meters Using Utilities Staff

The last option listed of performing this with in house staff follows the same logic from above but would take even longer to complete.

### **Install Meters in a Phased Approach**

Similar to the previous meter change out project, this approach would identify a predetermined number of meters to replace each year until completed. Other communities have identified as little as 10% of their meters per year putting this at a ten-year project.

The inherent risk of this approach is being non-compliant for the project period. This option would also keep us from upgrading our meters to the current technology

### **Calibrate and Reuse Existing Meters**

Calibrating and reusing the existing meters would be another time-consuming activity that would take a somewhat longer amount of time as the above options based on staffing levels utilized. To choose this option would require the City purchase a test bench to perform the calibrations or have the service provided by an outside source. If this option is chosen there will still be a percentage of the existing meters that will not be able to be calibrated and require replacement. It is hard to estimate what percentage of meters would fall into this category but is something that should be considered.

## **Do Nothing Option**

This option would ensure the City becomes non-compliant with DNR and statutory requirements. Without a plan in place to address new meters or calibrating our existing ones we could face penalties up to and including our water utility not being allowed to provide water service to our community, and all the associated impacts.

## **New Meter Package Options**

Since the original presentation of this project a propagation study has been performed to determine communication needs of this system. This has resulted in a variation to the original quotes.

### AMR Drive-By System Capable Meters

This system would include all new meters with the ability to collect current readings as staff drive down the roads being serviced. The meters provide alarms for leaks, bursts, tampering, reverse flow, no flow or dry meters, along with ambient and media temperatures from the previous day. The meters store daily, weekly and monthly data logs for the past 460-days and 36-months that can be retrieved via an optical head that must come into direct contact with the meter creating the need for staff to enter the premise.

This is part of the new technology available but is at the bottom of the spectrum for what can be obtained. This new system and data collection process will save the City roughly 35 hours each time readings are needed and won't require staff to enter any residences or businesses to collect usage information.

### AMR Drive-By System with Expanded Capability Meters

This system with the expanded capabilities would allow for a phased approach in getting to the AMI Fixed Base System described below. This is similar to AMR Drive-By System above but requires meters with different technology and includes a way to migrate to a fixed network which collects data and can be accessed from an office.

This migratable meter allows the City to start with an AMR Drive-by System and migrate to an AMI Fixed Network System when the City is ready. The meters provide alarms such as leak, burst, tamper, reverse flow and dry along with providing the ambient and media temperature from the previous day. The meters store daily, weekly and monthly data logs for the past 460-days and 36-months that can be retrieved via an optical head at the meter which requires physical access by staff. In addition, the meters store 100-days of hourly data that can be retrieved from outside the home via Radio Frequency not requiring staff to enter any premise. Similar to the first system this data can only be collected by physically driving by the meters.

### AMI Fixed System Capable Meters

The Fixed Network System would take advantage of the newest technology and allow all the functions described above to be performed at a desk setting. We had believed this system would allow shut offs to be performed from a desktop but we would need to include additional devices for this and have not included it in the quoted price.

This system communicates every 3-hours with the AMI Collectors. Based on the Propagation Study, it is recommended we install two Collectors on the existing SCADA Towers. The system will monitor alarms such as leak, burst, tamper, reverse flow and dry along with providing the ambient and media temperature and provide **real-time** alarm notification to the utility. This system also incorporates software that will store hourly, daily, weekly, monthly and yearly data from the meters. All available at a desktop with no physical contact with a meter.

## Costs

Costs for each of the system and installation options are summarized below.

Meters & Systems		Installation		Total Cost
Drive-By System	\$203,386	Contract Services	\$86,000	\$289,386
		Supplemental & Staff	\$50,000	\$253,386
		Utilities Staff	\$60,000	\$263,386
Enhanced Drive-By System	\$230,835	Contract Services	\$86,000	\$316,835
		Supplemental & Staff	\$50,000	\$280,835
		Utilities Staff	\$60,000	\$290,835
Fixed System	\$285,135	Contract Services	\$86,000	\$371,135
		Supplemental & Staff	\$50,000	\$335,135
		Utilities Staff	\$60,000	\$345,135

## Recommendation

The staff in our Utilities Section along with myself recommend the Fixed System even though it is more expensive. The Real Time data availability will allow the City to monitor all parameters without being required to drive by or to access historical data which would be useful to resolve billing questions without physically touch any meters. This will reduce the amount of time our staff needs to be involved with many issues and allow for other important work to be done. This would also be beneficial in setting Trickle Notices and reduce the need to be as conservative which only leads to additional consumption and cost to City residents.

If the City is not able to financially afford the Fixed Base System, I recommend we pursue the Enhanced Drive-By System with a plan on when we would convert to a Fixed Base System. This option gives the City flexibility by phasing the capital costs required to have a Fixed Base System in the future when we are in a position to do so.

The Utilities Section Staff and I do not recommend the Drive-By System due to its lack of being upgradeable. The City would still realize the benefit of a 20-year meter replacement and cross control inspection schedule but would limit our ability to utilize current technology and the benefits it provides.

**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Honorable Mayor and City Council Members  
From: <sup>SK</sup> Scott J. Kluver, Administrator  
Re: Meter Replacement Project - Financing  
Date: December 30, 2019

Enclosed you will find a memo from the Public Works Director outlining the Meter Replacement Project and the various options within that Project. I agree that it would be a good thing to go with the top plan, and I believe that we can afford it without any significant pain. There would be a lot of good data that would make the utilities more efficient and help us to detect problems before they become a costly expense to the utility customer or to the utility itself. So how would we pay for this?

Originally, I had hoped that taking out a short-term loan to keep our tax rate stable until the STH 13 Reconstruction Project would be sufficient. Unfortunately, that would only generate between \$180,000 - \$200,000 of funds. So, additional steps must be taken to generate enough money to even do the lower level version of the project. This gets a little complicated, more so than I like, but I will try to keep it as simple as possible. Our financial advisor from Ehlers has advised that the City has two borrowings that should be refinanced regardless of what the City decides to do related with the Meter Replacement Project. These two refinancing's on the loans the City has for the Public Works Garage and the Coal Dock, would generate a projected savings of some \$97,000 over the life of those loans based on anticipated interest rates. In addition, the City could tack on some additional dollars if it wanted to get to whatever cost it is willing to pay for this project.

In full disclosure, when this project is completed more utility revenue can be expected because these meters are new and more sensory efficient than the meters currently in place. This means the meters are more sensitive to water usage. This should assist the utilities in making up the difference of principle and interest for any additional amount the City may add onto the project. Utility capital budgets may need to be a little more conservative in coming years. As an alternative, the City could increase the tax rate for this project for future years if it wanted to, but I am not recommending that at this time. Also, I am trying to avoid any significant jumps in the utility rates because of this project. The way I am proposing to structure this is the general fund take out a short-term loan, along with refinancing to gain extra capacity, and possibly add additional funds to be financed by the utilities. However, over time, the utilities need to pay for this project by reimbursing the general fund.

So, in short, the finances conservatively look like this:

- \$180,000 Short term financing from stabilizing tax rate
- \$97,000 Refinancing existing debt
- \$100,000 Up to this amount from additional revenue generated by utilities to cover principle and interest of this amount and/or reprioritization of utility capital projects
  
- \$377,000 Approximate amount available to be financed for this project. All eventually to be paid back by Water and Sewer Utilities

Now, what I would like at the January meeting is a decision as to what direction the Council would like to go with this proposed project and permission to apply with the Public Service Commission (PSC) for the approvals that are needed. Once I have that, I can work with our financial advisor at Ehlers to prepare the details and specifics of the various approvals needed to finance this project. That will take a couple months, but that is ok. If you decide to proceed with this project as recommended, we need to apply with the PSC in the meantime anyway in order to replace all of the meters at once, and to get on the 20-year inspection cycle. Our goal is to be able to implement this project this summer when it will be easier to have the meters actually replaced.

There is a lot of information here for this project. Please let me know if you have questions or need any of us to walk you through any portion of it.

## Kamstrup Ultrasonic Water Meters flowIQ 2100 versus flowIQ 2250

<b>Kamstrup flowIQ 2100</b> <span style="float: right;">f 182</span> <b>Ultrasonic Meters for AMR Drive-by Meters</b>	
Info Code	Description
Burst	The water flow has exceeded a preprogrammed limit for a minimum of 30 minutes which is a sign of a burst pipe.
Dry	The meter is not water-filled. In this case nothing will be measured.
Leak	The water has not been stagnant in the meter during the 24 hours. This can be a sign of a leaky faucet or toilet.
Reverse Flow	The water flows through the meter in the wrong direction. This could be a result of the meter being installed backwards or a cross-connection and backflow issue.
Tamper	Attempt of fraud. The meter is no longer valid for billing.
Temperature - Ambient	The measurement in the meter housing for the previous day (12:00 am – 12:00 pm).
Temperature - Media	The measurement of water in the meter for the previous day (12:00 am – 12:00 pm).

<b>Data Logger Intervals</b>	<b>Data Log Records</b> (Data logs can only be read via the meter's optical eye)
Monthly Logger	36-months of Consumption
Daily Logger	460-days of Consumption
Info Logger	Last 50 Info Codes (Alarms)

<b>Kamstrup flowIQ 2250</b> <span style="float: right;">f 270</span> <b>Dual Band Ultrasonic Meters for AMR Drive-by or AMI Fixed Network</b>	
Info Code	Description
Battery	Notification that expected capacity left is 6-months.
Burst	The water flow has exceeded a preprogrammed limit for a minimum of 30 minutes which is a sign of a burst pipe.
Dry	The meter is not water-filled. In this case nothing will be measured.
Leak	The water has not been stagnant in the meter during the 24 hours. This can be a sign of a leaky faucet or toilet.
Reverse Flow	The water flows through the meter in the wrong direction. This could be a result of the meter being installed backwards or a cross-connection and backflow issue.
Tamper	Attempt of fraud. The meter is no longer valid for billing.
Temperature - Ambient	The measurement in the meter housing for the previous day (12:00 am – 12:00 pm).
Temperature - Media	The measurement of water in the meter for the previous day (12:00 am – 12:00 pm).

<b>Data Logger Intervals</b>	<b>Data Log Records</b> (Data Logs available over RF or through the meter's optical eye)
Yearly Logger	20-years of Consumption
Monthly Logger	36-months of Consumption
Daily Logger	460-days of Consumption
Hourly Logger	2400-hours (100 days) of Consumption
Info Logger	Last 50 Info Codes (Alarms)

Information codes 'LEAK', 'BURST', 'DRY' and 'REVERSE' switch off automatically, when the conditions that activated them no longer exist. In other words, 'LEAK' disappears when the water is stagnant; 'BURST' disappears when the consumption falls to normal level; 'REVERSE' disappears when the water no longer flows in the wrong direction; and 'DRY' disappears when the meter again is filled with water.

# Meters

- ✓ Ultrasonic measurement for precise accuracy and resistance to wear and tear
- ✓ Low start-flow down to 0.015 GPM measuring capability to earn revenue from every drop of water delivered
- ✓ IP68 for submersible conditions and pit installations
- ✓ Integrated 900 tri-band MHz range radio for remote meter reading
- ✓ Smart alarms for leak, burst, dry, tamper, and reverse flow
- ✓ 20 year battery life rate
- ✓ No loss of accuracy over time



flowIQ® 2100



flowIQ® 3101

flowIQ® 2100 is the ideal ultrasonic smart water meter for residential use. It supports your utility's efforts for water conservation, reliable customer service, and operational efficiency.

flowIQ® 3101 is especially suited for commercial and industrial water metering. It provides reliable billing data for pump stations distribution wells, and meter pits in multi-unit locations.

Technical Specs	flowIQ® 2100	flowIQ® 3101
Connection size	¾" to 1"	5/4" thread, 1½" thread & flange, 2" thread & flange, 3" flange
Start flow	0.015 GPM	As low as 0.04 GPM
Max flow	Up to 32 GPM	Up to 350 GPM
Saturation flow rate	Up to 42 GPM	Up to 500 GPM
Pressure loss	4.1 PSI at 15 GPM, 3.0 at 15 GPM	2.0 to 8.0 PSI at max flow
Accuracy	Complies with AWWA guidelines ± 3 % in extended low flow range ± 1.5 % in 'normal flow' range	
Operating temperature	33 °F to 140 °F	33 °F to 120 °F
Max. operating pressure	250 PSI (17 bar)	Flange mounted 300 PSI (21 bar)
Battery	3.65 VDC, 1 C cell lithium	
Communication	Integrated radio - 3 channel 900 MHz Encoded output UI-1203 communication protocol	
Standards	Conforms with NSF/ANSI Standard 61, FCC Part 15, AWWA M6, ANSI, and AWWA-C700 and C708 as applicable	
Material	Composite RPS	Stainless steel or lead free Brass

**Note:** The capabilities of the meter above the max flow will require that cavitation is avoided at all times. Damage to a meter that has been used at flow rates above the max flow will not be covered by warranty.

- ✓ Ultrasonic measurement for precise accuracy and resistance to wear and tear
- ✓ Low start-flow down to 0.015 GPM measuring capability to earn revenue from every drop of water delivered
- ✓ IP68 for submersible conditions and pit installations
- ✓ Integrated dual band radios
- ✓ Smart alarms for leak, burst, dry, tamper, and reverse flow
- ✓ 20 year battery lifetime
- ✓ No loss of accuracy over time
- ✓ 2-way communication
- ✓ Hourly readings
- ✓ Upgradeable firmware
- ✓ Smartphone configurable
- ✓ Integrated or external antenna
- ✓ Works as AMR or AMI and migratable
- ✓ Automatic adjusted power for optimum battery life



flowIQ® 2250



flowIQ® 3250

flowIQ® 2250 & flowIQ® 3250 series includes out of the box AMI capabilities besides incorporating all the features of the flowIQ® 2100 & flowIQ® 3101 series. The meters offer your utility smart and reliable communication over long distances.

Technical Specs	flowIQ® 2250	flowIQ® 3250
Connection size	5/8" to 1 1/4"	1 1/2" to 3"
Start flow	0.015 GPM	As low as 0.04 GPM
Max flow	Up to 55 GPM	Up to 350 GPM
Maximum intermittent flow	Up to 130 GPM	Up to 500 GPM
Pressure loss	3.0 to 4.1 PSI at 15 GPM	2.0 to 8.0 PSI at max. flow
Accuracy	Complies with AWWA guidelines. ± 3 % in extended low flow range ± 1.5 % in 'normal flow' range	
Max. operating pressure	250 PSI (17 bar)	Flange mounted 300 PSI (21 bar)
Battery	D-Cell battery, 3.6V, 17Ah	
Communication	Dual-band radio, 900 tri-band MHz range radio for AMR & 450-470 MHz for AMI	
Standards	Conforms with NSF/ANSI Standard 61, FCC Part 15, AWWA M6, ANSI, and AWWA-C700 and C708 as appl cable	

**Note:** The capabilities of the meter above the max flow will require that cavitation is avoided at all times. Damage to a meter that has been used at flow rates above the max flow will not be covered by warranty.

9

COMMON COUNCIL  
CITY OF WASHBURN, WISCONSIN

RESOLUTION #20-001  
ELECTION - COMBINATION OF WARDS – SINGLE POLLING PLACE

WHEREAS, State Election Law, as outlined in §5.15 Wis. Stats., provides for the combining of voting locations for various wards into a single polling place, and,

WHEREAS, the Common Council recognizes the advantage of simplifying the election process for elections, and,

WHEREAS, the upcoming 2020 Spring Primary, Presidential Preference Primary and Special Election for Representative in Congress District 7 in the City of Washburn may be conducted in such fashion,

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Washburn does hereby declare the polling place for the February 18, 2020 Spring Primary, April 7, 2020, Presidential Preference Primary & Spring Election and May 12, 2020 Special Election for Representative in Congress District 7 for all wards as the Washburn City Hall.

Adopted by the Common Council for the City of Washburn, Wisconsin this 13th Day of January 2020.

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Richard Avol, Mayor

STATE OF WISCONSIN)  
COUNTY OF BAYFIELD)

I hereby certify that the foregoing resolution is a true, correct, and complete copy of a resolution duly and regularly passed by the Common Council of the City of Washburn on the 13<sup>th</sup> day of January 2020, and that said resolution has not been repealed or amended, and is now in full force and effect.

Dated this 13<sup>th</sup> day of January, 2020.

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Scott J. Kluver-Administrator-Clerk

**10**

**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Honorable Mayor and City Council Members  
From: Tony Janisch, Assistant City Administrator  
Re: *Tony* Bike Across the Bay  
Date: December 23, 2019

The Bike Across the Bay annual event, sponsored by the North Coast Cycling Association (NCCA), is scheduled for Sunday, February 16, 2020. This race event is staged at the Harbor View Event Center. In 2020, the race will use portions of the Book Across the Bay ski route. As such, NCCA is requesting the temporary closure of city streets for a portion of the race route and for access to Thompson's West End Park to use the ski route.

The following streets would be impacted by a closure: W Harborview Dr, W Holman Lakeview Dr, S 6<sup>th</sup> Ave W, & Lake Dr. (Please find included map & email from Joe Groshek, NCCA)

Street closures will occur from approximately 9:00 am to 1:00 pm on Sunday, February 16<sup>th</sup>.

## Request from North Coast Cycling Association

*From: joe groshek <joetrek5200@gmail.com>  
Sent: Monday, December 23, 2019 9:26 PM  
To: Scott Kluver <washburnadmin@cityofwashburn.org>  
Cc: Tony Janisch <asstadmin@cityofwashburn.org>  
Subject: Request from North Coast Cycling Association*

Hi Scott,

This a formal request from North Coast Cycling Association ( NCCA) to the City of Washburn to allow us to have a pathway on city streets ( Harbor View Drive , Holman Lakeview Drive, South 6th Ave. W. and possibly Lake Drive ) for the Bike Across the Bay fat bike race on SUNDAY , FEB. 16, 2020.

The route we are considering runs from the start area at the Harbor View Event Center onto Harbor View Drive to Holman Lakeview Drive to 6th Ave. W., going onto Lake Superior there or continuing on Lake Drive for a short distance, entering West End Park and

going onto Lake Superior at the finish of the Book Across the Bay course. After finishing the portion of the course on Lake Superior the race would backtrack to the finish at Harbor View Event Center. Basically, an out and back course.

We expect to use the roads previously mentioned from 9:00am - 1:00 on that day. As soon as possible after the completion of the race, NCCA will remove the traffic cones and barriers, to allow the usual flow of traffic to resume. A map of the proposed route will be available.

Thank you.

Joe Groshek, NCCA Board Member

*On Tue, Dec 24, 2019 at 10:31 AM <washburnadmin@cityofwashburn.org> wrote:*

Joe,

Thank you. Would traffic be able to get in and out during the race? I am mostly concerned where there are residents. I assume there would be a time at the beginning and the end when things would need to be completely shut down, but in the middle traffic could move. Can you confirm this?

Scott Kluver  
City of Washburn

*On Thu, Dec 26, 2019 at 1:29 PM <joe groshek <joetrek5200@gmail.com> wrote:*

Hi Scott,

Traffic would be able to get in and out immediately after the start of the race from the Harbor View parking lot. I am envisioning using the south side of the proposed roads with a separation from vehicular traffic (if necessary) using cones and tape. I am thinking an appropriate width would be about 8' from the edge of the road,

which would allow plenty of room for vehicles to also use the roads. We plan to have volunteers stationed along the course.

At the start of the race at 10:00 there would be a surge of cyclists for about 5 -10 minutes, however after that, cyclists would string out fast and that would be how they would finish on the return route for about 1 1/2 - 2 hrs.,

which would not create a conflict for residents crossing the racecourse during the race. Again, we do not plan to detain exiting / entering residential traffic on the south side of road for more than about 10 min. Please contact me if you have any questions regarding this or need a clarification.

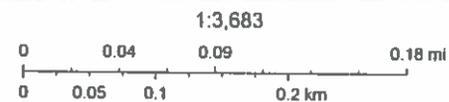
Thanks.

Joe

# Bike Across the Bay



12/20/2019, 1:45:15 PM



Bayfield County

**11**

**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Honorable Mayor and City Council Members

From: Tony Janisch, Assistant City Administrator

Re: Alcohol Licensing

Date: December 19, 2019

Ronald Piercy has applied for an alcohol beverage retail license of Class B beer & Class C wine to be sold on premise at Karlyn/Yellowbird Gallery, 318 Bayfield St. If Council determines that the application has been filed without any major concern or issue, Council is requested to instruct the city staff to issue public notification and to begin the administrative process.

Following this meeting, public notice of this application will be sent to the Ashland Daily Press and alerts will be issued to any interested parties.

#52024: 21560904

# Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 01/01/20 ending: \_\_\_\_\_  
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the:  Town of } WASHBURN  
 Village of }  
 City of }

County of BAYFIELD Aldermanic Dist. No. \_\_\_\_\_  
(if required by ordinance)

Check one:  Individual  Limited Liability Company  
 Partnership  Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-1029822727-02</u>	
FEIN Number <u>562-92-7001</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input checked="" type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
<b>TOTAL FEE</b>	<b>\$</b>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)  
PIERCY RONALD V.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name KARLYN/Yellowbirds FINE ART Business Phone Number 218 370 8343  
2. Address of Premises 318 BAYFIELD ST. Post Office & Zip Code WASHBURN 54891

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

STREET LEVEL GALLERY W/ BASEMENT  
2<sup>ND</sup> FLOOR<sup>ST</sup> STUDIO/STORAGE

4. Legal description (omit if street address is given above): \_\_\_\_\_

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? .....  Yes  No

(b) If yes, under what name was license issued? \_\_\_\_\_

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** .....  Yes  No  
NEW APPLICANT

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? .....  Yes  No  
**If yes, explain.**

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** .....  Yes  No

9. (a) Corporate/limited liability company applicants only: Insert state \_\_\_\_\_ and date \_\_\_\_\_ of registration.

(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** .....  Yes  No

(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.**  Yes  No

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] .....  Yes  No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] .....  Yes  No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? .....  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, MI) <u>RON PIERCY</u>	Title/Member <u>OWNER</u>	Date <u>12/03/19</u>
Signature 	Phone Number <u>218-370-8343</u>	Email Address <u>RON.Piercy@gmail.com</u>

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

# Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <b>PIERCY</b>		(first name) <b>RON</b>		(middle name) <b>✓</b>	
Home Address (street/route) <b>410N. 2<sup>ND</sup> AVE EAST</b>		Post Office <b>WASHBURN</b>	City <b>WASHBURN</b>	State <b>WI</b>	Zip Code <b>54891</b>
Home Phone Number <b>218-370-8343</b>		Age <b>66</b>	Date of Birth <b>12/10/52</b>	Place of Birth <b>WHITTIER CA</b>	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- \_\_\_\_\_ of \_\_\_\_\_  
(Officer / Director / Member / Manager / Agent) (Name of Corporation Limited Liability Company or Nonprofit Organization)
- which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority.

- How long have you continuously resided in Wisconsin prior to this date? 1 yr.
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
 If yes, identify. \_\_\_\_\_  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
 If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
<b>SELF EMPLOYED FOR:</b>		<b>1995</b>	<b>2019</b>
<b>PENNER PARTITIONS</b>	<b>ANAHEIM CA</b>	<b>1993</b>	<b>1995</b>

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

  
 \_\_\_\_\_  
(Signature of Named Individual)

Approved on 5/13/19 #21-01 thru #21-12.	Approved 6/10/19 #21-13 thru #21-26	Provisional Approved 6/6/19 #21-27 expires 8/5/19.	Provisional Approved 6/18/19 #21-28 expires 8/17/19		Provisional Approved 6/20/19 #21-30 expires 8/19/19	Approved 7/8/19 #21-27 thru #21-31	P I C K E D
Provisional Approved 7/2/19 #21-32 thru #21-33 expires 8/31/19	Provisional Approved 7/11/19 #21-34 expires 9/9/19	Provisional Approved 7/23/19 #21-35 expires 9/19/19	Approved on 8/12/19 #21-32 thru #21-35		Provisional Approved 9/5/19 #21-36 expires 11/4/19	Provisional Approved 9/11/19 #21-37 expires 11/10/19	
Approved 10/14/19 #21-36 thru #21-37	Provisionals Approved 10/3/19 #21-38 & #21-39 expire 12/2/19	Provisional Approved 10/4/19 #21-40 expires 12/3/19	Approved 11/18/19 #21-38 thru #21-40		Provisional Approved 11/5/19 #21-41 expires 1/4/20	Provisional Approved 11/6/19 #21-42 expires 1/5/20	
Provisional Approved #21-43 11/25/19 expires 1/24/20	Approved 12/9/19 #21-41 thru #21-43	Provisional Approved 12/5/19 #21-44 expires 2/3/20	Provisional Approved 12/6/19 #21-45 expires 2/4/20		Pending Approval 1/13/20 #21-44 & #21-45		
LAST NAME	FIRST NAME	MIDDLE NAME	MAIDEN OR PREVIOUS NAME	P A I D	PLACE OF BUSINESS	RENEWAL OR NEW LICENSE	U P
Reese	Wendy	Carolyn	Deerly	X	Roaming	Renewal #21-01	X
Stensvad	Lois	Janet		X	DaLou's Bistro	Renewal #21-02	X
Gray	Teresa	Ann		X	Roaming	Renewal #21-03	X
Vernon	Louise	Annette	Faulkner	X	LkSupView Golf	Renewal #21-04	X
Brevak	Donnalee	Marie	Faulkner	X	LkSupView Golf	Renewal #21-05	X
Brevak	Dale	Arden		X	LkSupView Golf	Renewal #21-06	X
Larson	Kristy	Anne	Roy	X	Hansen's IGA	Renewal #21-07	X
Wilcox	Cameron	Ross		X	Hansen's IGA	Renewal #21-08	X
Currier	Lynn	Marie		X	Hansen's IGA	Renewal #21-09	X
Burton	Magenta	Ivy		X	Hansen's IGA	Renewal #21-10	X
Stadler	Robert	Lee		X	Patsy's Bar & Grill	Renewal #21-11	X
Doman	Daniel	Todd		X	The Snug	Renewal #21-12	X
Sundquist	Roberta	Lee		X	Midland Services	Renewal #21-13	X
Defoe	Kelsey	Jaqueline		X	Holiday	Renewal #21-14	X
Ochsenbauer	James	Edward		X	Holiday	Renewal #21-15	X
Lawyer	Rose	Marie		X	Harbor View	Renewal #21-16	X
Wolf	Colette	Suzanne		X	Harbor View	New #21-17	X
Ainsworth	Terri	Lea		X	Holiday	Renewal #21-18	X
Eder	Kenneth	George		X	Roaming	Renewal #21-19	X
Weaver	Mary	Johanna		X	LkSupView Golf	Renewal #21-20	X
Johnson	Jamie	Lynne		X	Patsy's Bar & Grill	Renewal #21-21	X
Carcoba-Defoe	Irene			X	Patsy's Bar & Grill	Renewal #21.22	X
Beagan	John	David		X	Stagenorth	Renewal #21-23	X
Jack	Millie	Deactivated		X	Checkerz	Renewal #21-24	
Woodworth	Elizabeth	Loring		X	Stagenorth	Renewal #21-25	X
Jacobson	Mavis	Jill-Marie		X	A Nickel's Worth	Renewal #21-26	X
Belanger	Francois	Joseph		X	Taphouse	Provisional #21-27 New #21-27	X X
Bressette	Felecia	Elizabeth		X	Midland Services	Provisional #21-28 New #21-28	X X
Defoe	Kelsey	Jacqueline		X	Hansen's IGA	New #21-29	X

