

**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, March 11, 2019 City Hall 4:30PM

- Committee Review-Monthly Expenditures

**NOTICE OF CITY COUNCIL MEETING**

Monday, March 11, 2019 Washburn City Hall 5:30 PM

The Council may elect to go into closed session pursuant to Wisconsin State Statute §19.85(1) (c), for personnel matters relating to the employment, promotion, and or compensation for the Treasurer; following which the Council may reconvene in open session to take any action that may be necessary on the closed session items.

**AGENDA**

- Call to Order/Roll Call/Pledge of Allegiance
- Approval of Minutes – City Council Meeting – February 11, 2019
- Approval of Monthly Expenditures via Roll Call Vote
- Public Comment
- Mayoral Announcements, Proclamations, Appointments
  - Vacancies on BART Board; Zoning Board of Appeals; Harbor Commission
- Public Hearing, Discussion, and Action on Ordinance 19-003 Amending Chapter 3 Land Use Map of the Comprehensive Plan as Indicated to Change Two Parcels from Planned Waterfront Special Development to Marina **TAB 1**
- Discussion & Action on Conditional Use Amendment Request for Contractor Yard and Personal Storage Facility for Alltemp Heating and Cooling. Amendment will Address Exterior Façade and Architectural Changes from the Previously Approved Plan. – Property Located at 330 South 1<sup>st</sup> Avenue East – Jeff Pipgras, Petitioner **TAB 2**
- Discussion & Action on Conditional Use Request for a Home Occupation – Operate a Private Practice Counseling/Meditation Service in Accordance with Regulations of 8-536 out of the Property Located at 877 Jackson Road – Carol Kouba, Petitioner **TAB 3**
- Discussion & Action on Request to Amend Water and Sewer Credit Policy – Sharilyn Sandstrom, Petitioner and on Amendment Proposed by Staff **TAB 4**
- Discussion & Action on Respondent to Omaha Development RFQ Process and Next Steps **TAB 5**
- Discussion & Action on the Concept of Establishing an Ordinance to Address Sex Offender Residency Restrictions **TAB 6**
- Alcohol Licensing Matters - **TAB 7**
  - Bartender License Applications – #20 -53 & 54
- Closed Session Items
  - Personnel Matters – Consideration of Compensation for City Treasurer Position
- Adjourn

**February 11, 2019**

**CITY OF WASHBURN COMMON COUNCIL MEETING**

5:30PM Washburn City Hall

**Present: City Council Members:** Aaron Austin, Jennifer Maziasz, Karen Spears-Novachek, Linda Barnes, John Gary

**Municipal Personnel:** Mayor Richard Avol, City Administrator Scott J. Kluver, Assistant City Administrator Dan Stoltman, City Attorney Max Lindsey

**Excused Absence:** Jeremy Oswald, Mary McGrath

**Call to Order** - Meeting called to order at 5:30PM 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 Meetings of January 14, 2019– A motion was made by Barnes to approve the January 14, 2019– minutes, second by Novachek. Motion carried unanimously.

**Approval of Expenditures-** A motion was made by Novachek to approve the monthly expenditures, second by Austin. Motion carried unanimously via roll call vote.

**Public Comment** – Roth Edwards 221 West 6<sup>th</sup> Street, spoke on the need for more planning and public input on the development of city land on Omaha Street. Tom Neimes 605 W. 4<sup>th</sup> St., discussed the Omaha Street development and economic development in the city.

**Mayoral Announcements, Proclamations, Appointments- Vacancies on Lake Superior By-Way Committee; BART Board; Zoning Board of Appeals; CDBG Housing Committee** - The Mayor welcomed new Public Works Director Bob Anderson. The Mayor recognized the life and passing of local resident Bob Ungrodt. The Mayor nominated Tracey Snyder to the Lake Superior By-Way Committee. A motion was made by Novachek to appoint Tracey Snyder to the Lake Superior By-Way Committee, second by Maziasz. Motion carried unanimously. The Mayor nominated Jeffrey Olsen to the Zoning Board of Appeals. A motion was made by Barnes to appoint Jeffrey Olsen to the Zoning Board of Appeals, second by Maziasz. Motion carried unanimously. The Mayor nominated himself to the CDBG Housing Committee. A motion was made by Novachek to appoint the Mayor (Richard Avol) to the CDBG Housing Committee, second by Barnes. Motion carried unanimously.

**Presentation on CORE Community Resources – Ann Bowker, Presenter** – Ann Bowker gave a presentation on the activities of CORE Community Resources. No motion was made.

**Discussion & Action on Request to Amend Water and Sewer Credit Policy – Sharilyn Sandstrom, Petitioner** – Kluver gave an overview. Kluver stated that the Council at the time the original policy was made (2014), kept the dollar amount high to encourage good home ownership and maintenance practices. Kluver stated that the city has had less than ten cases since 2014. Barnes stated that because the city bills quarterly, people may not know they have a problem for months, and she recommends a \$200 dollar increase per service. Novachek stated she would need more information on the impacts of changing the policy before being able to evaluate it. A discussion took place on having a proportional amount between water and sewer considering sewer is more expensive. Kluver stated that if this is a possibility, he suggests keeping the sewer at \$500 and reduce the water to the proportion of volume rate based on that figure. It was stated to carry this item over to the next Council meeting once staff gets more numbers on the impacts of changing the policy to a proportional system. No motion was made.

**Discussion & Action on Request by North Coast Cycling Association to have the City Sponsor a Recreational Trails Program Grant for the Resurfacing of the Recreational Trail within the City of Washburn** – Nate Swiston gave a presentation. Mr. Swiston stated that the city would need to apply for the grant on behalf of North Coast Cycling Association, but they would be responsible for writing the grant. Kluver stated that he does not object to the request. A motion was made by Novachek to approve the request by North Coast Cycling Association to have

the city sponsor a Recreational Trails Program Grant for the Resurfacing of the Recreational Trail within the City of Washburn, second by Austin. Motion carried unanimously.

**Discussion on Park Committee Activities – Jen Maziasz, Presenter** – Maziasz discussed activities of the Park Committee. No motion was made.

**Discussion & Action on Concept of the City Developing the Omaha Property on Its Own** – Kluver gave an overview. A discussion was had on development options. Kluver stated that for the city to develop the property for single family lots to be sold, it would cost the city an estimated \$775,000 to \$850,000 in infrastructure cost, with total estimated cost of \$1,240,000 over a 15 year loan. Maziasz stated she is for single family lots. A motion was by Maziasz to open the floor, second by Barnes. Motion carried unanimously. Dalton Collins spoke in favor of the Omaha Street development being single family homes. Tony Jennings spoke, Mr. Jennings asked how many building permits the city had last year. Kluver responded that the city had two. Dave Anderson Spoke, Mr. Anderson stated that the Omaha Street property should stay vacant until better options for development come. Roth Edwards spoke, Mr. Edwards discussed the comprehensive plan as it relates to the Omaha Street property. A motion was made by Novachek to close the floor, second by Maziasz. Motion carried unanimously. Austin stated that housing in the community is needed, and low income housing could benefit many in the community. Austin stated that the city doesn't have much land for housing and it's nice that the city does have land like the Omaha Street property available. No motion was made.

**Discussion & Action on Listing City Properties for Sale with Tony Jennings of Blue Water Realty** –Kluver gave an overview. Kluver stated that he comfortable starting small with a couple of listings and feels it will be beneficial to the city. A discussion was had on listing other city properties. A discussion was had on listing the Brokedown Palace. Kluver stated that before the city would need to conclude all current leads on the property before it can be listed with Blue Water Realty. A motion was made by Novachek to approve the listing of city property lot 15and 24 with Blue Water Realty, second by Barnes. Motion carried unanimously.

**Discussion & Action on Solicitation of Assistant Administrator Position/Job Description Review** – Maziasz stated that she felt adding a park element to the job description should be included. A discussion took place on adding a park element to the job description. Kluver stated that he would prefer to not have a park element to the job description but could include it as part of the job ad. A motion was made by Novachek to approve the solicitation of Assistant Administrator position and job description as it currently is, second by Barnes. Motion carried 4-1 with Maziasz no.

**Discussion & Action on Administration Goals and Objectives for 2019, Review of 2018 Goals** – Kluver gave an overview. The progress on the Coal Dock was discussed. A motion was made by Novachek to approve the Administration Goals and Objectives for 2019 as presented, second by Gary. Motion carried unanimously.

**Discussion & Action on Ordinance 19-001 Updating the Regulation Governing Excavations and Openings in Streets and Sidewalks to be Consistent with Current Technology** – Kluver gave an overview. It was stated to add "or designee" to Sec. 6-2-4. A motion was made by Novachek to approve Ordinance 19-001 with the added "or designee", second by Barnes. Motion carried unanimously.

**Discussion & Action on Ordinance 19-002 Updating the Regulation for the Keeping of Chickens** – Kluver stated that an oversight was found that would have allowed free range chickens, and the intention of the ordinance was to keep chickens in their coops and runs. A motion was made by Barnes to approve Ordinance 19-002, second by Gary. Motion carried unanimously.

**Discussion & Action on Resolution 19-001 Combination of Wards to Single Polling Place in Spring Election** – No discussion was had. A motion was made Barnes to approve Resolution 19-001, second by Maziasz. Motion carried unanimously.

**Discussion & Action on Chamber of Commerce Use of Thompson's West End Park, Wikdal Park, and the Coal Dock; Closure of Portions of Bayfield Street, 5<sup>th</sup> Avenue West, 1<sup>st</sup> Avenue West, 2<sup>nd</sup> Avenue West, and 4<sup>th</sup> Avenue West; and Relaxation of Open Container and Noise Ordinances all at Certain Times during Brownstone Block Party Activities July 26 through July 28, 2019 & Discussion & Action on Request to Close North 3<sup>rd</sup> Avenue West from Bayfield Street to the Alley for Dandelion Days on June 8, 2019 – Washburn Chamber of Commerce and Michael McKenna, Petitioners** – No discussion was had. A motion was made by Novachek to approve the request by the Chamber of Commerce Use of Thompson's West End Park, Wikdal Park, and the Coal Dock; Closure of Portions of Bayfield Street, 5<sup>th</sup> Avenue West, 1<sup>st</sup> Avenue West, 2<sup>nd</sup> Avenue West, and 4<sup>th</sup> Avenue West; and Relaxation of Open Container and Noise Ordinances all at Certain Times during Brownstone Block Party Activities July 26 through July 28, 2019 & the request to Close North 3<sup>rd</sup> Avenue West from Bayfield Street to the Alley for Dandelion Days on June 8, 2019, second by Austin. Motion carried unanimously.

**Alcohol Licensing Matters - Bartender License Applications – #20-51&52** – No discussion was had. A motion was made by Barnes approve Bartender License Applications – #20-51&52, second by Austin. Motion carried unanimously.

#### **Closed Session Items**

**Personnel Matters – Evaluation of the City Administrator** – A motion was made by Novachek to go into closed session at 7:15pm pursuant to Wisconsin State Statute §19.85(1) (c), for personnel matters; following which the Council may reconvene in open session to take any action that may be necessary on the closed session items, second by Barnes. Motion carried unanimously via roll call vote.

**Adjourn** – Motion to adjourn by Barnes, seconded by Austin—unanimous. Meeting adjourned at 7:45 pm.

Dan Stoltman  
Assistant City Administrator

#### **FINANCE COMMITTEE MEETING 4:30PM**

Committee Member Karen Novackek and Aaron Austin reviewed monthly expenditure vouchers.



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**CITY OF WASHBURN**  
**NOTICE OF PUBLIC HEARING**  
**COMPREHENSIVE PLAN AMENDMENT**

A public hearing will be held at the regularly scheduled monthly City Council Meeting, Monday, March 11, 2019, 5:30 P.M., City Hall, 119 Washington Ave., for public comment on the following issue(s):

Plan Commission recommendation to the Common Council of the City of Washburn, that the Chapter 3 Land Use Map be amended to change the designation from Mixed Use Waterfront to Marina for two parcels that currently have boat storage buildings on them.

Any interested individual may contact the Washburn City Hall, 119 Washington Avenue, on Mondays from 7:30AM – 4:30PM and Tuesdays through Fridays from 10:00AM – 4:30PM, or call 715-373-6160 x#4, to review or obtain further details and/or a copy of the proposed amendment and comprehensive plan.

Scott J. Kluver  
City Clerk

Daily Press – Box Ad 1/26/19  
Posted – Website WCAT City Hall Public Library

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119 Washington Avenue  
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715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Honorable Mayor and City Council Members  
From: Scott J. Kluver, Administrator *SK*  
Re: Comprehensive Plan Land Use Map Amendment  
Date: February 25, 2019

Enclosed you will find an ordinance that would change the Land Use Map of the Comprehensive Plan. Specifically, the two parcels that the existing boat storage buildings are located on would go from Mixed Use Waterfront to Marina. The Harbor Commission initiated this request for the long-term viability of the privately held boat storage buildings. The Marina and the owners of the boat storage buildings have a symbiotic relationship in that they depend upon each other for customers and service.

The end goal of this request, if approved, is to proceed with a zoning map amendment that would change the zoning of those parcels from Mixed Use Waterfront to Marina. As it stands right now, the boat storage buildings were made non-conforming in the new zoning code. This means that they are limited in the value of repairs that can be done, and could not be reconstructed if destroyed in certain ways. That would have a significant impact on the marina.

The first step of the process is a Comprehensive Plan map change and the land use map and the zoning map would need to be consistent with one another for any zoning map change. If you have any questions about this request, please contact me.

**CITY OF WASHBURN**  
**Ordinance No. 19-003**

An ordinance adopted by the Common Council for the City of Washburn at its regular meeting of March 11, 2019, amending Sec. 1-4-3, Washburn City Ordinances, and the City of Washburn Comprehensive Plan 2007-2027 adopted as an appendix thereto, to change a portion of land from Planned Waterfront Special Development to Marina.

*Section 1.* New subsection 1-4-3(f) is created to read as follows:

**Section 1-4-3. Amendments to Comprehensive Plan.**

...

(f) Amendment 6. The Chapter 3 Land Use Map of the City of Washburn Comprehensive Plan 2007-2027 is amended to change a portion of land from Planned Waterfront Special Development to Marina, as shown on the attached appendix.

*Section 2. Effective Date of Ordinance.* This amendatory ordinance shall take effect upon passage and publication.

Attest:

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

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

Adopted: March 11, 2019

Date of publication: \_\_\_\_\_

**CERTIFICATION**

The undersigned, as City Clerk of the City of Washburn, hereby certifies that the above ordinance was approved at a duly noticed public meeting of the Washburn Common Council on March 11, 2019; that the Common Council is composed of seven members plus the Mayor who votes only in case of tie; that \_\_\_\_ members were in attendance at the meeting, constituting a quorum, and that the vote to approve the ordinance was \_\_\_\_\_ for, \_\_\_\_\_ against, \_\_\_\_\_ abstaining, and that the ordinance was approved by a majority vote of the members-elect of the Common Council.

Dated: \_\_\_\_\_, 2019.

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

November 15, 2018  
COMMISSION MEETING  
5:30pm Washburn City Hall

CITY OF WASHBURN PLAN

COMMISSION MEMBERS: Dave Anderson, Richard Avol, John Baregi, Leo Ketchum-Fish, Jeremy Oswald, Adeline Swiston.

ABSENT: John Gray,

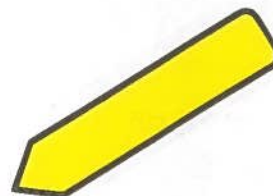
MUNICIPAL PERSONNEL: Scott Kluver-City Administrator, Tammy DeMars-City Treasurer/Deputy Clerk

Meeting called to order at 5:30PM by Avol attendance as recorded above.

**Approval of Minutes – October 18, 2018 –** Moved by Swiston to approve minutes of October 18, 2018 as presented, second by Anderson. Motion carried unanimously

**Discussion & Recommendation on Request to Vacate the Alley in Block 6 of Vaughn and Austrian Addition to the Townsite of Washburn Adjacent to Lots 19 and 20, Stephanie Arntsen- Petitioner** – Ms. Arntsen present. Petitioner is trying to sell her property, but ran into issues as the garage is encroaching on neighboring properties and is on the City alley. The remainder of the alley was vacated in 1980 but the property owner back then objected to completely vacating the alley because it would cut off legal access to the garage. Unfortunately, they did not address the encroachment issue at the time. Kluver has no objections to the vacating as long as the access issue is addressed and utility easements are maintained. The petitioner and the church are in negotiation for the sale of Lot 20, which would satisfy the access issue and this would need to be done before final approval of the vacation would be given. Moved by Avol to recommend approval of the request to vacate the alley in Block 6 of Vaughn and Austrian Addition to the Townsite of Washburn adjacent to Lots 19 and 20, maintaining utility easement and contingent on the access issue being addressed, second by Ketchum-Fish. Motion carried unanimously.

**Discussion & Action on Plan Commission Resolution 18-001 to Amend the Comprehensive Plan Land Use Map to Change Land Use Districts for Boat Storage Buildings Near the Washburn Marina-Washburn Harbor Commission, Petitioner-** The Harbor Commission is requesting this change as the Marina and the owners of the boat storage building, they depend on each other for customer service. If approved this would be the first step, once the Comprehensive Plan is amended a zoning map change will be needed to be consistent with the land use map. Moved by Avol to recommend approval of Resolution 18-001 to amend the Comprehensive Plan Land Use Map to change land use



districts for boat storage buildings near the Washburn Marina, second by Swiston. Discussion included if it would be beneficial to extend the change to encompass the property owned by Pearl Beach, at this time no one thought it was necessary to do so. Original motion approved unanimously.

**Plan Commission will Visit the Site of South Shore Brewery at 532 W. Bayfield Street. This Site Visit Will Allow for the Members to Engage in Discussion and Pose Questions Related to a Potential Future Zoning Code Amendment to Allow for an Enlarged Structure on the Site and also Potential Site Development Standards. No Final Decisions Shall be Rendered During this Meeting –** This item was taken off the Agenda for tonight as Mr. Belanger had out of town business to attend.

**Adjourn -** Moved by Oswald to adjourn @ 5:55pm, second by Baregi. Motion carried unanimously.

Respectfully Submitted,  
Tammy L. DeMars  
Treasurer/Deputy Clerk

**PLAN COMMISSION FOR THE CITY OF WASHBURN, WISCONSIN**

Resolution No. 18-001

**Request to Amend Washburn's Comprehensive Plan**

**WHEREAS**, the Common Council for the City of Washburn adopted a comprehensive plan on April 9, 2007, pursuant to the requirements set forth in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

**WHEREAS**, the Common Council has the authority to amend the adopted comprehensive plan and has done so on various occasions; and

**WHEREAS**, the City of Washburn Plan Commission agrees with the requested changes by the Harbor Commission to the land use map; and

**WHEREAS**, the City of Washburn Plan Commission considered this resolution at their meeting on November 15, 2018; and

**NOW THEREFORE**, by a majority vote of the entire commission recorded in its official minutes, the Plan Commission recommends to the Common Council the following:

Section 1: Amend the Chapter 3 Land Use Plan as shown in Exhibit A.

**BE IT FURTHER RESOLVED**, the City Clerk is directed to send a copy of this resolution to each of the following:

- a. the clerk for Bayfield County;
- b. the clerk of every local government unit that is adjacent to the City;
- c. Wisconsin Land Council;
- d. State of Wisconsin Department of Administration;
- e. Northwest Regional Planning Commission; and
- f. those public libraries that serve the City.

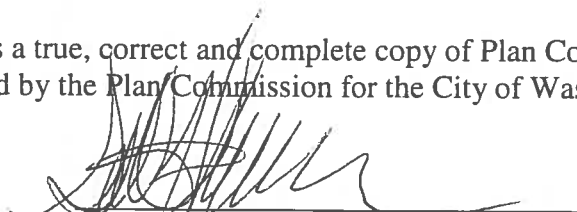
Passed and adopted this 15th day of November, 2018



Richard Avol, Plan Commission Chair

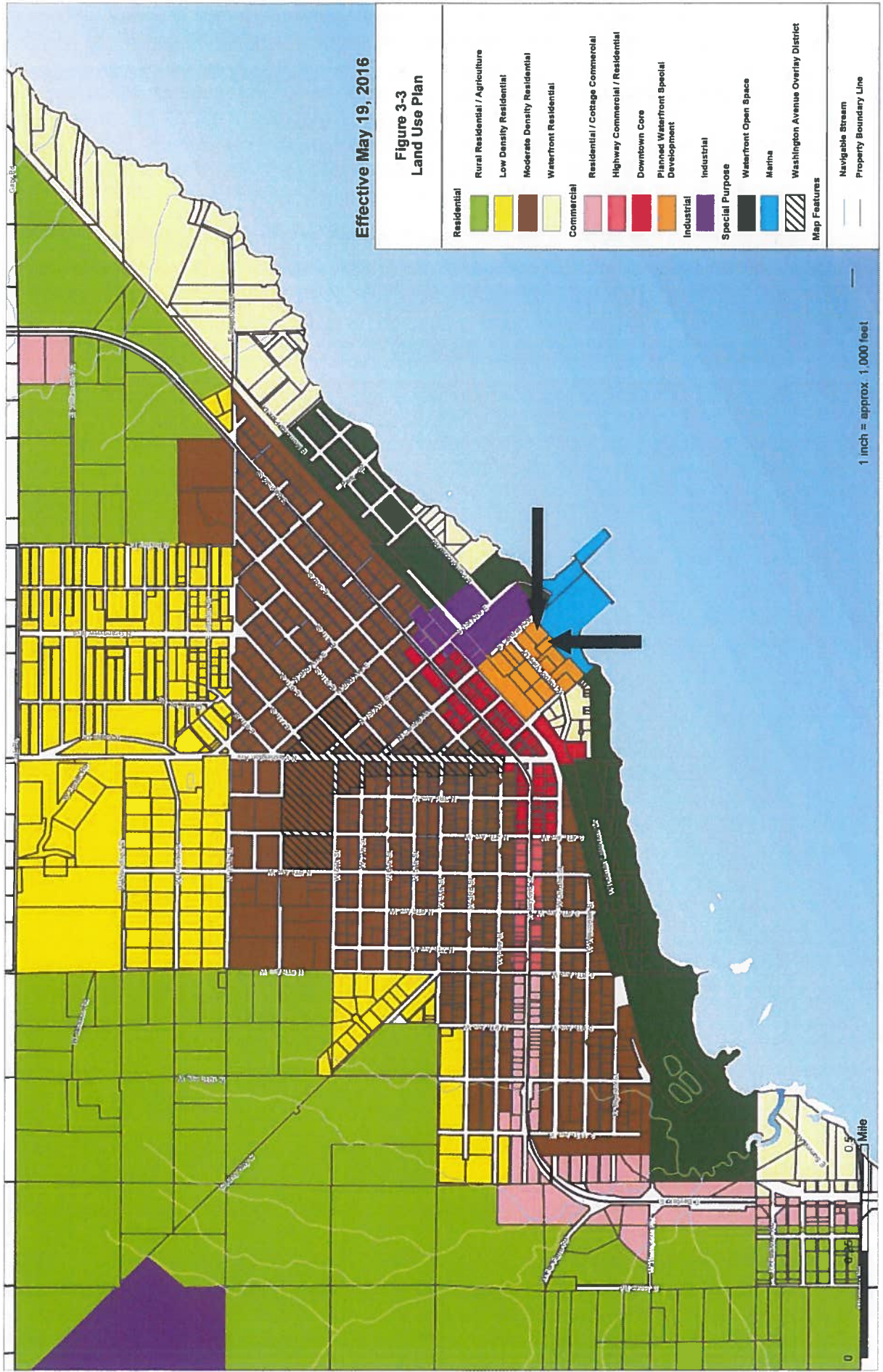
STATE OF WISCONSIN   )  
  )  
COUNTY OF BAYFIELD   )

I hereby certify that the foregoing resolution is a true, correct and complete copy of Plan Commission Resolution #18-001 duly and regularly adopted by the Plan Commission for the City of Washburn on the 15th day of November, 2018.



Scott J. Kluver, City Clerk







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February 21, 2019  
COMMISSION MEETING  
5:30pm Washburn City Hall

## CITY OF WASHBURN PLAN

COMMISSION MEMBERS: Dave Anderson, Richard Avol, John Baregi, John Gray, Leo Ketchum-Fish, Jeremy Oswald (5:31), Adeline Swiston.

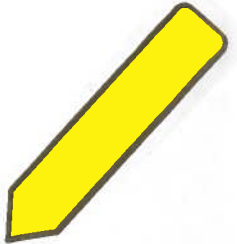
ABSENT:

MUNICIPAL PERSONNEL: Scott Kluver-City Administrator, Tammy DeMars-City Treasurer/Deputy Clerk

Meeting called to order at 5:30PM by Avol attendance as recorded above.

**Approval of Minutes – December 20, 2018 –** Moved by Swiston to approve minutes of December 20, 2018 as presented, second by Gray. Motion carried with Ketchum-Fish abstaining as he was not at the last meeting.

**Public Hearing –** Moved by Swiston to open the floor for the Public Hearing, second by Gray. Motion carried unanimously. There was no public comment. Moved by Swiston to close the floor, 2<sup>nd</sup> by Oswald. Motion carried unanimously.



**Discussion and Recommendation on Conditional Use Amendment Request for Contractor Yard and Personal Storage Facility for Alltemp Heating and Cooling. Amendment Will Address Exterior Façade and Architectural Changes from the Previously Approved Plan. – Property Located at 330 S. 1<sup>st</sup> Ave. East – Jeff Pipgras, Petitioner** – Mr. Pipgras was present. Leo Ketchum-Fish recuses himself from this discussion do to conflict and moves to the audience. Mr. Pipgras is requesting to change the materials to be used on the exterior of the proposed structure. The ordinance was recently passed which changed the architectural and design standards that apply in the I-1 District. Pipgras requesting to change the siding to ABS Steel buckskin in color on the upper half and mocha brown on the lower half and a short panel steel overhead door in mocha brown with no window. Moved by Avol to approve the amend application for a Conditional Use Permit for Contractor Yard and Personal Storage Facility for Alltemp Heating and Cooling with the Façade changes as addressed above, second by Gray. Motion Carried unanimously.

Leo Ketchum-Fish re-joins the Commission as an active voting member.

**Discussion & Recommendation on Conditional Use Request for a Home Occupation – To Operate a Private Practice Counseling/Mediation Service in Accordance with Regulations of 8-536 out of the Property Located at 877 Jackson Road – Carol Kouba, Petitioner** – Ms. Kouba was present. She would like to start an at home business called Heavenly Healing Hands, to support individuals on their path to understanding their body, mind, and soul connection., her business plan was included in the packet. Ms. Kouba will be the sole employee and she will only have one client at a time. The Commission confirmed the size of the parcel was not an issue, the use is compatible, the location of the use on the property is not a concern, traffic safety should not be a problem, it is a suitable additional use, there are no negative impacts on the environment known of, concerns with impacts on the neighbors were discussed and hours of operations were agreed on, and it would not impede the normal development. Motion by Baregi to recommend approval of Carol Kouba Conditional Use Permit to operate an at Home Business out of 877 Jackson Road, with the Conditions as drafted by Zoning Administrator Kluver, second by Gray. Motion Carried Unanimously

**Discussion & Action on Façade Loan Disbursement for Brownstone Pharmacy Project at 114 W. Bayfield St. – Nate Swiston, Petitioner** - Swiston recuses herself from this item and leaves the table. The majority of the work has been completed, with expenses totaling \$3,800 of the \$5,151.00 allowed. There is still some trim and detail work that is unfinished and will be completed in the spring, but he is requesting reimbursement for the expenses for the part of the project completed, and he will come back for a final draw once the project is completed. Our current loan procedures do not address multiple draws, but whatever decision is made tonight we need to be consistent with all borrowers. Further discussion held to allow two draws on loans \$10,000.00 or less and up to three draws on loans over \$10,000.00, this will be discussed further at the next meeting. Moved by Anderson to approve the draw of \$3,800.00, second by Baregi. Motion carried unanimously.

Swiston returns to the table as an active voting member.

**Discussion & Action on Façade Loan Disbursement for ABC Thrift Store Project at 118 W. Bayfield St. – Carol Lindsey, Petitioner** – Ms. Lindsey is requesting reimbursement for \$9,455.08, of the \$10,000 that was approved. Other than the lighting all the work appears to be complete, she would like to submit for the balance once the lighting is completed. Motion by Swiston to approve payment of \$9,455.08 to Carol Lindsey, second by Anderson. Motion carried unanimously.

**Adjourn** - Moved by Swiston to adjourn @ 5:48pm, second by Avol. Motion carried unanimously.

Respectfully Submitted,  
Tammy L. DeMars  
Treasurer/Deputy Clerk

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**FAX 715-373-6148**

To: Plan Commission Members

From: Scott J. Kluver, Administrator *SK*

Re: Pipgras CUP Amendment – Contractor Yard and Personal Storage Facility

Date: February 14, 2019

Enclosed you will find the application materials from Jeff Pipgras for a Conditional Use Permit (CUP) Amendment for the property located at 330 South 1<sup>st</sup> Avenue East. The property is in the I-1, Light Industrial District.

The purpose of the amendment is to change the materials to be used on the exterior of the proposed structure. No proposed changes are requested of the CUP document, this is only for the site plan which include the architectural and design standards. As you are aware, an ordinance was recently passed which changed the architectural and design standards that apply in the I-1 District.

I have included the original and the amended exterior design in the packet, along with the ordinance. Please note the criteria in the ordinance by which the Commission should either approve or deny the permit.

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

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**CITY OF WASHBURN**  
**NOTICE OF PUBLIC HEARING**

A Public Hearing will be held by the Plan Commission on, Thursday, February 21, 2019, at 5:30 P.M. at City Hall, 119 Washington Avenue, for public comment on the following issue:

Conditional Use Permit Application Amendment:

A building is being constructed for Alltemp Heating and Cooling and may have several potential uses listed below at 330 South 1<sup>st</sup> Avenue East, Jeff Pipgras, Petitioner. The amendment will address exterior façade and architectural changes from the previously approved plan.

- Contractor Yard for Alltemp Heating and Cooling as defined in Section 13-1-3-15.05 per the regulations as outlined in 13-1-8-475
- A Personal Storage Facility for personal units and for vehicles and watercraft as defined in Section 13-1-3-14.03 per the regulations outlined in 13-1-8-453.

The property is zoned I-1, Light Industrial. Residents unable to attend the public hearing may provide written comment to the Zoning Administrator prior to the hearing.

Scott J. Kluver  
Zoning Administrator

As required by ordinance, copy mailed to property owners within 150 feet of property.  
**NOTICES MAILED FIRST CLASS MAIL ON 01/18/2019**

**Bayfield County Hwy. Dept.**  
P.O. Box 428  
Washburn, WI 54891

**Bayfield County Forestry Dept.**  
P.O. Box 445  
Washburn, WI 54891

**Washburn Iron Works**  
P.O. Box 338  
Washburn, WI 54891

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- Contractor Yard for Alltemp Heating and Cooling as defined in Section 13-1-3-15.05 per the regulations as outlined in 13-1-8-475
- A Personal Storage Facility for personal units and for vehicles and watercraft as defined in Section 13-1-3-14.03 per the regulations outlined in 13-1-8-453.

The property is zoned I-1, Light Industrial. Residents unable to attend the public hearing may provide written comment to the Zoning Administrator prior to the hearing.

Scott J. Kluver  
**Zoning Administrator**

**publ.: Class 2 – January 26 and February 2, 2019 Daily Press Box Ad**

No Change to this  
Document

## **CITY OF WASHBURN** **CONDITIONAL USE PERMIT**

A Conditional Use Permit is hereby granted, pursuant to Title 13, Chapter 1, Article 7, Division 3 of the City of Washburn Zoning Ordinance to Jeff Pipgras (hereinafter User), in respect to property currently zoned I-1 Light Industrial, herein referred to as Subject Property, described as:

**Street Address:** 330 S. 1<sup>st</sup> Ave. East

**Legal Description:** Lot 2 of CSM 2030

**Tax ID:** 37772      **PIN:** 04-291-2-48-04-05-105-001-03320

This Conditional Use Permit is granted for the purpose of permitting the User, and only the User, to engage in the permitted use set forth immediately below:

1. To construct and operate a contractor yard as defined in Section 13-1-3-15.05 in accordance with Section 13-1-8-475 of the City of Washburn Zoning Code.
2. For light industrial use incidental to sales/service as defined in Section 13-1-3-17.20 in accordance with 13-1-8-540 of the City of Washburn Zoning Code.

This Conditional Use Permit is subject to the following special conditions:

1. This Conditional Use Permit is issued exclusively to the User, does not run with the land for which it is issued, and may not be sold, conveyed, assigned or otherwise transferred to any other person or entity. This permit will be effective once all conditions are complied with as specified in ordinance.
2. Issuance of a Conditional Use Permit does not indicate that the City of Washburn has certified the above referenced structure nor has it inspected the building, nor does it ensure that it meets local, state, federal, or professional requirements or standards related to the subject use.
3. All waste container facilities on the Subject Property shall be screened from view (from adjacent streets).
4. User shall construct a sign upon the property; identifying the User's business and the property address. A sign must conform to the City's Sign Ordinance.
5. All conditional uses referred to above may be carried out upon the Subject Property 24 hours per day, seven days a week.



6. The Common Council for the City of Washburn may at some future date require regular review and renewal of Conditional Use Permits or otherwise change the Conditional Use Permit Ordinances. The holder of the permit may be subject to permit termination and/or renewal at the discretion of the Common Council or its designee. Holder of the permit may be subject to additional ordinance requirements and expense in that event.

Statement on the nature of the approval:

In approving this Conditional Use Permit, the Plan Commission confirmed the size of the parcel was not an issue, the use is compatible, the location of the use on the property is not a concern, traffic safety should not be a problem, it is a suitable use, there are no negative impacts on the environment known of, and it would not impede the normal development of the neighborhood. The Common Council adopts these findings.

Appeal rights for applicant and other aggrieved persons:

Within 30 days of the decision date, a written appeal, including the reasons for the appeal, must be received by the City Clerk. The appeal process will follow the procedure outlined in 13-1-7-23 of the zoning ordinance.

\_\_\_\_\_  
Jeff Pipgras

\_\_\_\_\_  
Date

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Jeff Pipgras, to me known to be the person who executed for the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Notary Public, Bayfield County, Wisconsin

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Richard Avol, Mayor  
City of Washburn

\_\_\_\_\_  
Date

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Richard Avol, known to be the person who executed for the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Notary Public, Bayfield County, Wisconsin

My commission expires: \_\_\_\_\_





\_\_\_\_\_  
Scott J. Kluver, Zoning Administrator  
City of Washburn

\_\_\_\_\_  
Date

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Scott J. Kluver, known to be the person who executed for the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Notary Public, Bayfield County, Wisconsin

My commission expires: \_\_\_\_\_



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



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

## APPLICATION FOR CONDITIONAL USE PERMIT

(Zoning Code 13-7-51 through 62)

Name: Jeff and Laurie Piggas Initial Application ☐ Amendment/Renewal ☒

Physical and Mailing Address of Applicant: 403 1st Ave East PO Box 28

Telephone Number: 715-292-0555 E-mail: \_\_\_\_\_

Address/Description of Permit Property: 330 South 1st Avenue East

Requested Conditional Use: Contractor Yard and Personal Storage Zoning District: Industrial 11

*Applicant shall submit a letter detailing the desired use, along with a scaled site plan of the property if new construction is involved.*

*It is the responsibility of the applicant to provide the name and address (both physical and mailing) of property owners within a 150 foot radius the permit property. Please use attachments for longer lists.*

1. Bayfield County - 380 S 1st Ave E, 117 E 5th Street  
(PA) - Physical Address, (MA) - Mailing Address
2. City of Washburn - PO Box 638 - Memorial Park Drive  
(MA) (PA)
3. Washburn Iron Works inc - PO Box 338 - Memorial Park Drive  
(MA) (PA)
4. Hwy Dept Bayfield County 311 S 1st Ave E,  
(MA) (PA)
5. Fishnote Properties, LLC (PA) - Memorial Park Drive  
MA PO Box 55

## APPLICATION FOR CONDITIONAL USE PERMIT --- Page 2

*I have read municipal code 13-7-52 through 62 as presented to me upon application and understand the process related to the issuance of a Conditional Use Permit. I also understand that I may be required to submit supplemental information as may be required elsewhere in the zoning code for my particular request.*

Application Signature: \_\_\_\_\_

Date: \_\_\_\_\_

02-14-19

**Filing Fee:** A \$150 filing fee is due at the time of submitting the application. A receipt of the fee payment shall be attached to this application form and shall serve as the application submission date.

### OFFICE USE ONLY

Date of Review Completed by Zoning Administrator: \_\_\_\_\_

01/16/19

Date of Public Hearing: \_\_\_\_\_

02/21/19

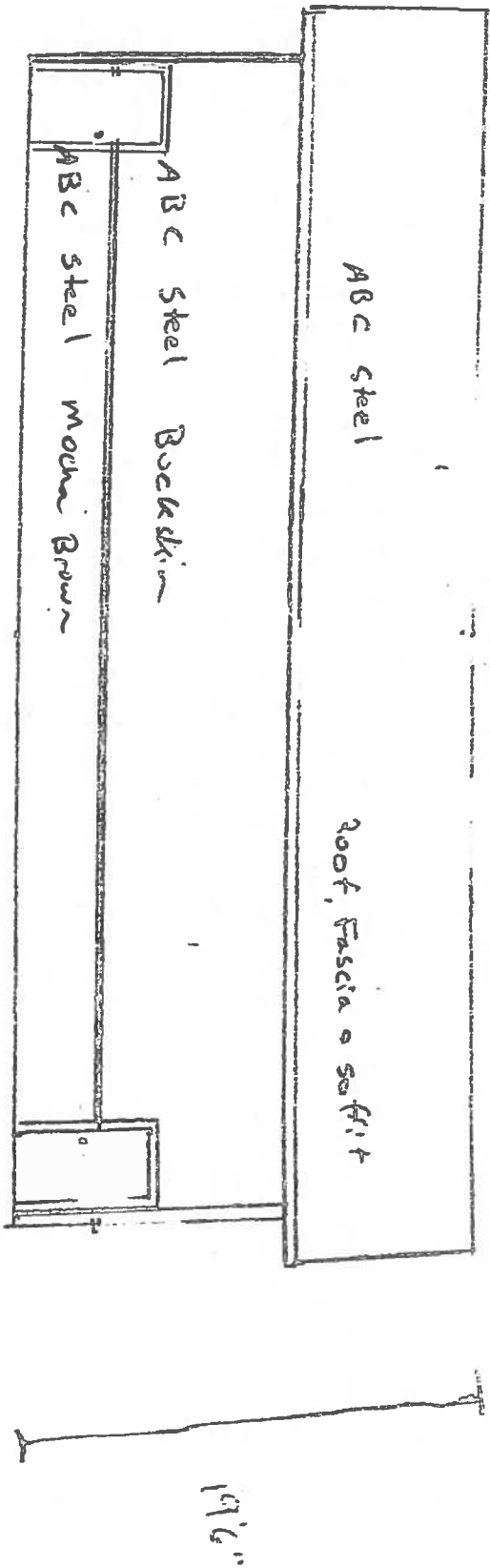
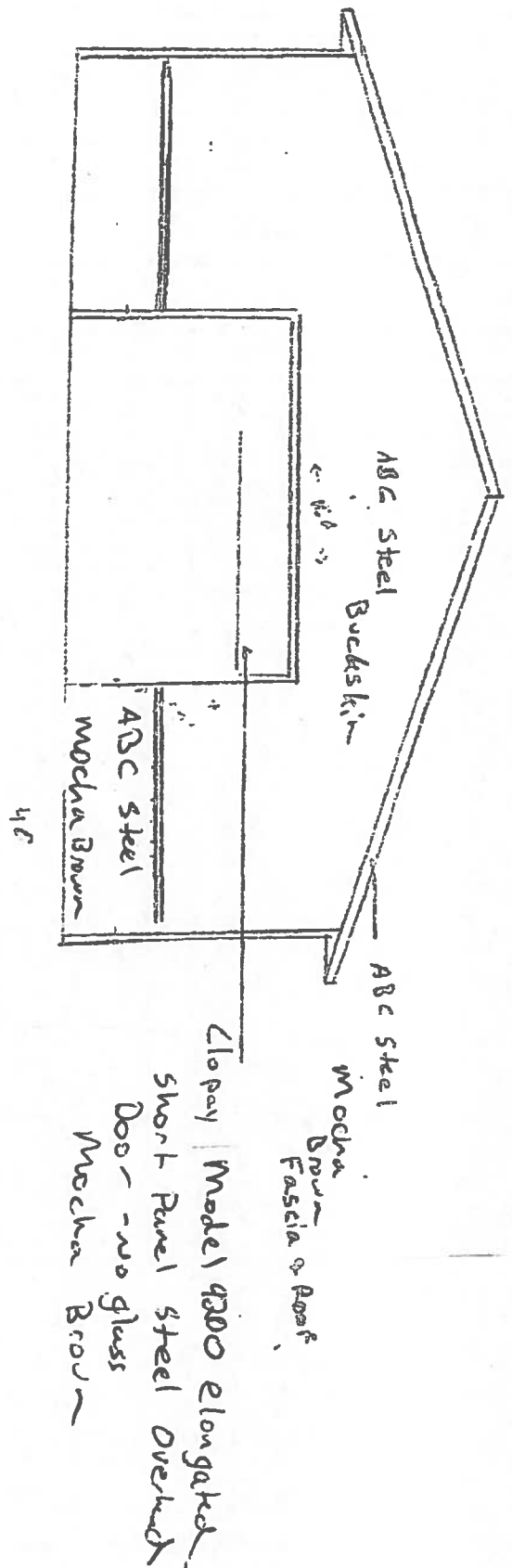
Dates of Publication/Mailing: \_\_\_\_\_

01/17/19

Recommendation of Plan Commission: \_\_\_\_\_

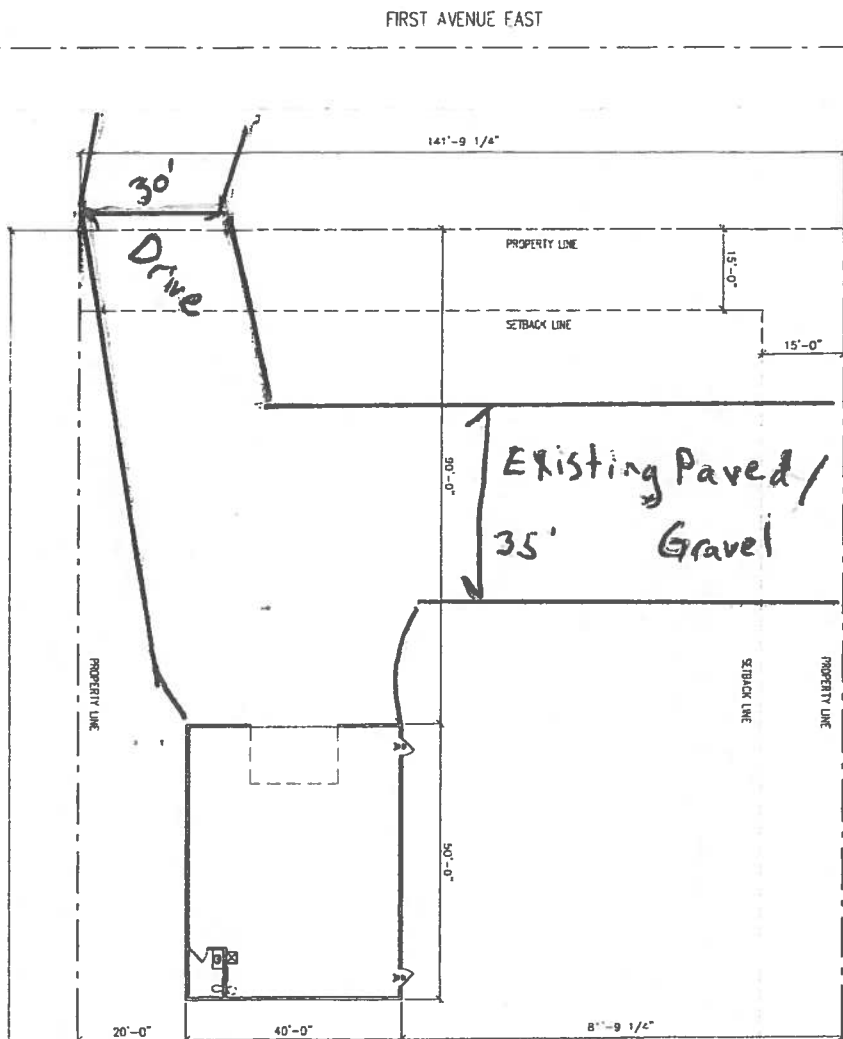
Approval by Council: \_\_\_\_\_

Amended



# NEW BUILDING FOR: ALLTEMP HEATING

Site map



SHEET	INDEX
A 1	SITE PLAN
A 2	NOTES/SPECIFICATIONS
A 3	FOUNDATION PLAN
A 4	FLOOR PLAN
A 5	CROSS SECTION
A 6	WALL DETAILS
A 7	ROOF FRAMING LAYOUT
A 8	ELEVATIONS

**KDD**  
KDD Engineering & Design, Inc.  
2700 Grand Ave. Suite 200  
Grand Rapids, MI 49503  
Phone: (616) 451-1111  
Fax: (616) 451-1112  
www.kdd-engineering.com

**SALES OFFICE**  
4629  
SHEET NUMBER  
A1

## SITE PLAN

LAKE EFFECT BUILDERS  
ALLTEMP HEATING

Drawn by	DB
Date	06-03-10
Checked by	
Date	
Scale	1" = 30'-0"

NOTE: OWNER HAS REVIEWED AND APPROVED THESE PLANS AND SPECIFICATIONS. THEY HAVE AGREED AT THE ONSET OF THE DEVELOPMENT AND REPRESENTED TO THE CITY OF GRAND RAPIDS THAT THE PLANS ARE CORRECT AND COMPLETE. THE CITY OF GRAND RAPIDS HAS REVIEWED THESE PLANS AND SPECIFICATIONS AND HAS GRANTED A PERMIT TO CONSTRUCT. THE CITY OF GRAND RAPIDS HAS REVIEWED THESE PLANS AND SPECIFICATIONS AND HAS GRANTED A PERMIT TO CONSTRUCT. THE CITY OF GRAND RAPIDS HAS REVIEWED THESE PLANS AND SPECIFICATIONS AND HAS GRANTED A PERMIT TO CONSTRUCT.

WAY POST

Boulder creek

Midland Gated

13.60

ABC Steel

Buckskin

Charcoal

Gray

Fascia & Roof

Clopay Grand Harbor

Series I Design 11 or Ridge Canyon

Compost Garage Door

(or similar Composite Door)

\* Composite overlay Door = not Metal Door

Chablis SS120

40

Boulder creek

Way post

ABC steel charcoal Gray Roof, Fascia & soffit

ABC Steel Buckskin

ABC steel charcoal Gray

19'6"

51

Original



# GRAND HARBOR®

collection



America's Favorite Garage Doors®



*Model GH12, SQ24 Windows,  
Sandtone Base, Standard White Overlay,  
Spade Lift Handles and Step Plates*



Model Grand Harbor® Full Top Section, Standard White, Open  
Steel Lift Handles and Side Panels. Locks painted to match door.



carriage house LOOKS

for LESS



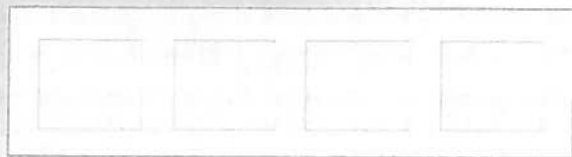
### The Grand Harbor® Collection

**Enhance the classic details of your home  
without breaking your budget.**

When budget is the deciding factor, this low-maintenance, insulation-optional steel frame carriage house style garage door combines clean lines and classic charm to provide a popular style at a great value.

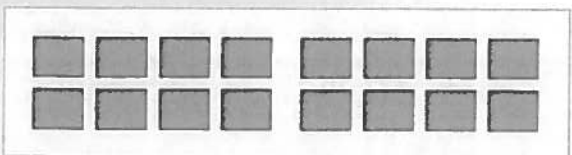
Accented with decorative black wrought iron hardware, these doors have the appearance of a swing-out door, but offer the convenience of modern overhead operation.





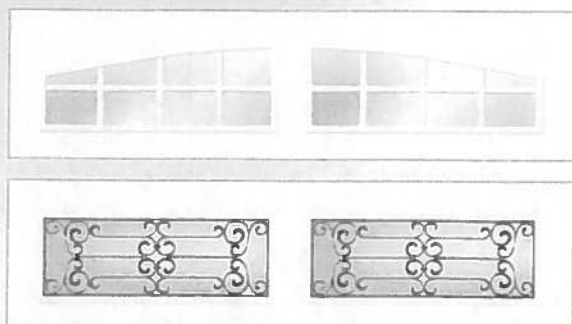
## Solid Top Sections

Solid top sections in rectangular, square and arch designs provide more design options to complement new home styles.



## Faux Top Sections

Faux top sections create the illusion of a window by using a solid dark gray steel background with arch, square and rectangular grille overlays. Provides added security while creating the appearance of a real window.



## Glazed Top Sections

Glazed top sections in clear or obscure glass and snap-in grilles create square and rectangular designs. Wrought iron windows feature a black iron-look design on a "seeded" look acrylic that provides an Old World European style to complement light fixtures, entry doors and other decorative features.

Glazed top sections (windows) NOT available in 15'0" and 15'6" width doors.

**Note:** All glazed top sections available up to WindCode® W1. Short glazed top sections, SQ22, Plain Short and Wrought Iron Short (WIS) available up to WindCode® W6.

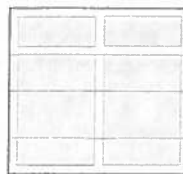
Additional charges for optional glass apply.

Contact your local dealer for door width restrictions.

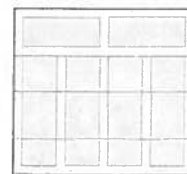
Acrylic windows require special cleaning. Never use products that contain ammonia or petroleum products to clean acrylic. Please visit [clopaydoor.com/acrylic](http://clopaydoor.com/acrylic) for complete details.

## Door Designs

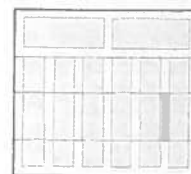
SERIES 1



Design 11

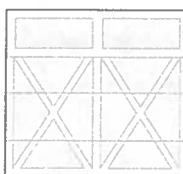


Design 12

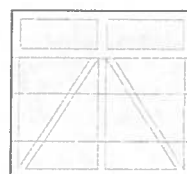


Design 13

SERIES 2



Design 21



Design 22

SERIES 3

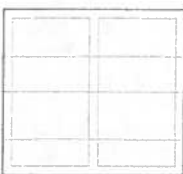


Design 31



Design 36

SERIES 4



Design 41

All door designs shown with a solid TOP11 Design; additional top sections are shown below.

## Top/Window Sections

SERIES 1 & SERIES 2



TOP11



TOP12



Wrought Iron Short



TOP13



ARCH1



Wrought Iron Long



XG14



XG24



XA24



Plain Short



REC12



SQ22



Plain Long



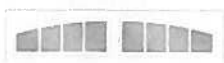
REC14



SQ24



ARCH1



GRVA1



GRLA1

SERIES 3 & SERIES 4



TOP11



ARCH1

Additional double width door designs available.

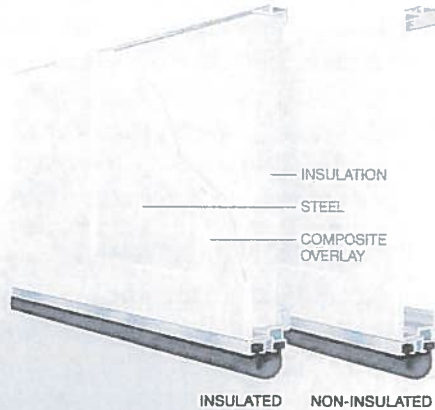
## Durable Construction

### OPTIONAL INSULATION

**1 5/8"**  
VINYL-BACKED  
INSULATION

EFFICIENCY  
**6.3**  
R-VALUE

Calculated door  
section R-value is  
in accordance with  
DASMA TDS-163.



- 24 gauge 2" steel frame construction with 1/2" composite overlay for long-lasting performance and durability.
- Optional 1-5/8" vinyl-backed insulation improves energy efficiency. 6.3 R-value.
- Galvanized torsion springs are attractive and longer lasting.
- Nylon rollers are durable and quiet.
- Rust-resistant, aluminum bottom weatherseal retainer and vinyl astragal help seal out the elements.

## Beauty and Design

- Four design series, eight models.
- Glazed top sections in clear or obscure glass and snap-in grilles create square and rectangular designs. Optional faux windows and wrought iron windows.
- Decorative black powder coated spade design lift handles and step plate provide the finishing touch. Optional outside keyed lock and strap hinges maintain the authentic carriage house style designs.
- UV-protected standard white composite square-edged overlay with smooth finish.

## Size Availability

	Series 1	Series 2	Series 3	Series 4
Door Height	Models	Models	Models	Model
	GH11, GH12, GH13	GH21, GH22	GH31, GH36	GH41
6'6" to 8'0"	■	■	■	■
8'6" to 12'0"	■		■	■

Door heights available in 6" increments.

Door Width (All Models) 8'0", 9'0", 15'0", 15'6", 16'0"

\*Glazed top sections (windows) NOT available in 15'0" and 15'6" width doors.



For more detailed product specification information or availability of our Grand Harbor® Collection Garage Doors, please contact your Clopay Dealer. To locate a dealer to help you select the right door for your home, just go to [www.clopaydoor.com/dealer](http://www.clopaydoor.com/dealer) or call 1-800-2CLOPAY (225-6729).

Follow us on

## Colors

Standard White

Almond

Desert Tan

Sandtone

Due to the printing process, colors may vary.

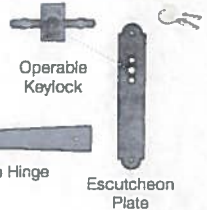
- Four hot-dipped galvanized woodgrain textured steel base door colors: Standard White, Almond, Desert Tan and Sandtone. Overlay available in Standard White only.
- Can be painted using a high-quality exterior latex paint. Base door and overlays can be painted dark colors with a Light Reflective Value (LRV) of 8 or higher. Contact paint manufacturer for LRV reading.

## Decorative Hardware

STANDARD



OPTIONAL



A FOCUS ON

green



Clopay is committed to designing, manufacturing and distributing garage doors that enhance the beauty, safety and value of your home while minimizing the impact on the environment.

Steel doors and hardware are impervious to moisture and will not rot, warp or crack, and the steel used in Clopay's doors is made from over 75% recycled content. All Clopay doors are made in the U.S., minimizing shipping, damage and handling.

Visit our website for more details on Clopay's green practices.  
[clopaydoor.com/green](http://clopaydoor.com/green)

**CITY OF WASHBURN**

PO BOX 638

WASHBURN, WI 54891

**Receipt Nbr:** 27446**Date:** 1/03/2019**Check****RECEIVED  
FROM**

Jeff Pipgras

\$150.00

**Type of Payment**

Accounting

**Description**

ZONING PERMITS

Jeff Pipgras CUP Amendment

**Amount**

150.00

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**TOTAL RECEIVED**150.00

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**Receipt Memo:**

CUP Application

**8-145 Compliance with building codes**

A building shall comply with all applicable building codes for the intended use.

**8-146 Fire and explosions**

Any land use involving materials which could decompose by detonation shall be located at least 400 feet from a property in a residential or commercial zoning district or a planned development district, except that this standard shall not apply to the storage or usage for normal residential or business purposes. All activities and storage of flammable and explosive materials at any point shall be provided with adequate safety and fire fighting devices consistent with all fire prevention codes of the state of Wisconsin.

**8-147 Tree and shrub removal**

Within the R-1, R-2, and R-6 zoning districts, no more than 50 percent of the natural vegetation (cumulative) may be removed from a parcel for construction of a principal building, accessory buildings, driveway area, and containment areas and structures for pets and domestic livestock as may be allowed.

**8-148 to 8-160 Reserved**

**DIVISION 8  
SITE DESIGN**

**Sections**

8-161	Legislative findings	8-163	General site design principles
8-162	Applicability	8-164	Specific design principles

**8-161 Legislative findings**

The Common Council makes the following legislative findings regarding the site design requirements in this chapter:

- (1) The design and layout of a site, including principal and accessory buildings, pedestrian routes, parking areas, access drives, building service areas, docking and loading areas, outdoor lighting, signage, stormwater management facilities, and other site features, can have a substantial and long-lasting effect on the utility of the subject property and on surrounding properties and the overall character of a community.
- (2) The requirements in this section are intended to provide meaningful guidance to applicants, design professionals, and public officials.
- (3) The requirements in this section are intended to promote the public health, safety, and welfare and are reasonably related to the public purpose of achieving an attractive, functional, and prosperous community.

**8-162 Applicability**

Those land uses designated as requiring site plan review in the land-use matrix (Exhibit 8-1) must comply with the requirements in this division.

**8-163 General site design principles**

Development subject to review under this division shall adhere to the following design principles along with other requirements that may apply:

- (1) A building shall be arranged on the site so as to not impede traffic accessibility and circulation to or from adjacent streets and adjoining sites developed with similar nonresidential uses.
- (2) The front of the building shall be generally parallel to the street or a public area, such as a courtyard, plaza, or the like.
- (3) Cross accesses shall be provided between adjoining commercial parcels whenever it is feasible to do so.

- (4) A docking or loading area for a commercial, institutional, or industrial building shall be easily accessible to service vehicles, partitioned from the on-site parking area, and designed to serve multiple establishments and tenants, when possible. Partitioning from view may be accomplished by (a) integrating such area into the overall design of the building (e.g., inside of the building or use of architectural extension of a building wall), (b) using a fence; a berm; landscaping, above what is otherwise required in this chapter; other suitable feature; or (c) any combination thereof.
- (5) Existing natural resources and topographic features on the site shall be preserved to the greatest extent possible while affording a reasonable use of the property.
- (6) The project shall not create any hazard.
- (7) The project shall be designed to avoid existing hazards, whether manmade or natural, and if avoidance is not possible, to mitigate the effects of the hazard to a satisfactory level necessary to protect the public health, safety, and welfare.
- (8) Parking areas and pedestrian routes located on the site shall be designed to promote safety and efficient traffic flow.

Amendment(s):

1. Ordinance 18-006, adopted October 8, 2018

#### 8-164 Specific design requirements

In addition to the principles enumerated in this division, projects shall be designed to comply with all other development standards in this chapter that may apply.

#### 8-165 to 8-180 Reserved

### DIVISION 9 GENERAL ARCHITECTURAL STANDARDS

#### Sections

8-181	Legislative findings	8-183	Architectural standards
8-182	Applicability	8-184	Additional standards in the Downtown Design Overlay district

#### 8-181 Legislative findings

The Common Council makes the following legislative findings regarding the architectural requirements in this article:

- (1) The outward design appearance of a building can have a substantial and long-lasting effect on surrounding properties and the overall character of a community.
- (2) Buildings and especially those within a largely developed area should fit into the context in which they occur.
- (3) Architectural design standards should allow for a variety architectural styles and be flexible to the greatest extent possible.
- (4) The standards in this section are intended to provide meaningful guidance to applicants, design professionals, and public officials.
- (5) This section is not intended to limit or infringe upon reasonable accommodations to afford a person with disabilities equal opportunity to use and enjoy a building.
- (6) The standards in this section are intended to promote the public health, safety, and welfare and are reasonably related to the public purpose of achieving an attractive, functional, and prosperous community.

**8-182 Applicability**

Those land uses designated as requiring architectural review in the land-use matrix (Exhibit 8-1) must comply with the requirements in this division.

**8-183 Architectural standards**

Buildings subject to review under this division shall comply with the following architectural standards:

- (1) Excluding residential buildings and Industrial Zoning Districts, all building exteriors facing a street, not including an alleyway, shall have at least 50 percent of the street face constructed with brick, decorative masonry, glass panel, or other appropriate similar finished façade as may be approved by the Plan Commission. Such brick, masonry, glass, or other decorative facing shall extend for a distance of at least 25 feet along the sides of the structure that do not face a street or at least 25 percent of the that side wall distance, whichever is greater.
- (2) Outside of Industrial Zoning Districts, the appearance of any buildings with a front elevation or any building elevation facing Bayfield Street of more than 750 square feet in area shall be divided into distinct planes of 500 square feet or less. The following design features can be used to meet this provision (1) canopies or awnings; (2) arcades; (3) porches; (4) vertical wall offsets having a minimum depth of 8 inches and a minimum width of 10 feet; (5) horizontal offsets having a minimum depth of 2 feet; (6) pilasters having a minimum depth of 8 inches, a minimum width of 12 inches, and a minimum height of 80 percent of the wall height; (7) recessed areas for entryways and the like having a minimum depth of 8 inches; and (8) other suitable multidimensional design features.
- (3) On any building on Bayfield Street, the front entrance of a building shall be encouraged to face Bayfield Street. When that does not occur, the Bayfield Street Elevation shall have the same, or similar, materials and designs as the front entrance of the building. Except for one or two-family residential buildings, when a building rake elevation faces Bayfield Street the roof line must be hidden behind the façade facing Bayfield Street.
- (4) Oversized fenestration elements which tend to create a monumental scale shall not be used unless specifically required by the type of building or relationship to its surroundings.
- (5) Building entrances must be clearly recognizable from parking lots and pedestrian circulation routes.
- (6) Rooftop mechanical equipment shall be positioned so it is not readily visible from a public street or an abutting property in a residential zoning district or in a planned development district that allows residential uses. Rooftop mechanical equipment may be placed in an enclosure or screened from view provided such enclosure or screening is used as an element of the building's architecture.
- (7) Fencing shall complement the appearance of buildings onsite.
- (8) The exterior building materials of an accessory building shall be the same as or similar to those used on the principal building.
- (9) Overhead doors shall not face a public street. The Plan Commission may permit overhead doors to face a public street, but only when it has made a finding that there is no feasible alternative location for such doors. Consistent with the requirements in Article 7, the Plan Commission may approve a special exception to allow an overhead door to face a public street when there is no feasible alternative.
- (10) HVAC (heating, ventilating, air conditioning) equipment shall be screened from view. No HVAC shall create a noise level of more than 50 decibels as measured on a dB(A) scale at the nearest existing adjacent residence.
- (11) When trash, garbage and recyclable materials are stored out-of-doors, such materials shall be concealed or suitably screened from public view. A brick or stone wall, wood fence, chain-link fence with slats, and/or landscaping shall be used to totally obstruct vision into the storage areas. Any wall, fence and gate, and/or vegetative screening shall be installed or erected to a height at least 1' - 6" above the highest point of the dumpster as generally depicted below.

Amendment(s):

1. Ordinance 18-006, adopted October 8, 2018

**8-184 Additional standards in the downtown design overlay district**

Buildings located in the downtown design overlay district must comply with the requirements in Article 14.

**8-185 to 8-200 Reserved**

**DIVISION 10  
RESERVED**

**8-201 to 8-230 Reserved**

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3



February 21, 2019  
COMMISSION MEETING  
5:30pm Washburn City Hall

CITY OF WASHBURN PLAN

COMMISSION MEMBERS: Dave Anderson, Richard Avol, John Baregi, John Gray, Leo Ketchum-Fish, Jeremy Oswald (5:31), Adeline Swiston.

ABSENT:

MUNICIPAL PERSONNEL: Scott Kluver-City Administrator, Tammy DeMars-City Treasurer/Deputy Clerk

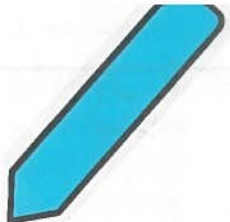
Meeting called to order at 5:30PM by Avol attendance as recorded above.

**Approval of Minutes – December 20, 2018 –** Moved by Swiston to approve minutes of December 20, 2018 as presented, second by Gray. Motion carried with Ketchum-Fish abstaining as he was not at the last meeting.

**Public Hearing –** Moved by Swiston to open the floor for the Public Hearing, second by Gray. Motion carried unanimously. There was no public comment. Moved by Swiston to close the floor, 2<sup>nd</sup> by Oswald. Motion carried unanimously.

**Discussion and Recommendation on Conditional Use Amendment Request for Contractor Yard and Personal Storage Facility for Alltemp Heating and Cooling. Amendment Will Address Exterior Façade and Architectural Changes from the Previously Approved Plan. – Property Located at 330 S. 1<sup>st</sup> Ave. East – Jeff Pipgras, Petitioner** – Mr. Pipgras was present. Leo Ketchum-Fish recuses himself from this discussion do to conflict and moves to the audience. Mr. Pipgras is requesting to change the materials to be used on the exterior of the proposed structure. The ordinance was recently passed which changed the architectural and design standards that apply in the I-1 District. Pipgras requesting to change the siding to ABS Steel buckskin in color on the upper half and mocha brown on the lower half and a short panel steel overhead door in mocha brown with no window. Moved by Avol to approve the amend application for a Conditional Use Permit for Contractor Yard and Personal Storage Facility for Alltemp Heating and Cooling with the Façade changes as addressed above, second by Gray. Motion Carried unanimously.

Leo Ketchum-Fish re-joins the Commission as an active voting member.



**Discussion & Recommendation on Conditional Use Request for a Home Occupation – To Operate a Private Practice Counseling/Mediation Service in Accordance with Regulations of 8-536 out of the Property Located at 877 Jackson Road – Carol Kouba, Petitioner** – Ms. Kouba was present. She would like to start an at home business called Heavenly Healing Hands, to support individuals on their path to understanding their body, mind, and soul connection., her business plan was included in the packet. Ms. Kouba will be the sole employee and she will only have one client at a time. The Commission confirmed the size of the parcel was not an issue, the use is compatible, the location of the use on the property is not a concern, traffic safety should not be a problem, it is a suitable additional use, there are no negative impacts on the environment known of, concerns with impacts on the neighbors were discussed and hours of operations were agreed on, and it would not impede the normal development. Motion by Baregi to recommend approval of Carol Kouba Conditional Use Permit to operate an at Home Business out of 877 Jackson Road, with the Conditions as drafted by Zoning Administrator Kluver, second by Gray. Motion Carried Unanimously

**Discussion & Action on Façade Loan Disbursement for Brownstone Pharmacy Project at 114 W. Bayfield St. – Nate Swiston, Petitioner** - Swiston recuses herself from this item and leaves the table. The majority of the work has been completed, with expenses totaling \$3,800 of the \$5,151.00 allowed. There is still some trim and detail work that is unfinished and will be completed in the spring, but he is requesting reimbursement for the expenses for the part of the project completed, and he will come back for a final draw once the project is completed. Our current loan procedures do not address multiple draws, but whatever decision is made tonight we need to be consistent with all borrowers. Further discussion held to allow two draws on loans \$10,000.00 or less and up to three draws on loans over \$10,000.00, this will be discussed further at the next meeting. Moved by Anderson to approve the draw of \$3,800.00, second by Baregi. Motion carried unanimously.

Swiston returns to the table as an active voting member.

**Discussion & Action on Façade Loan Disbursement for ABC Thrift Store Project at 118 W. Bayfield St. – Carol Lindsey, Petitioner** – Ms. Lindsey is requesting reimbursement for \$9,455.08, of the \$10,000 that was approved. Other than the lighting all the work appears to be complete, she would like to submit for the balance once the lighting is completed. Motion by Swiston to approve payment of \$9,455.08 to Carol Lindsey, second by Anderson. Motion carried unanimously.

**Adjourn** - Moved by Swiston to adjourn @ 5:48pm, second by Avol. Motion carried unanimously.

Respectfully Submitted,  
Tammy L. DeMars  
Treasurer/Deputy Clerk

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



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

To: Plan Commission Members  
From: Scott J. Kluver, Administrator *SK*  
Re: Kouba CUP  
Date: February 14, 2019

Enclosed you will find the application materials for the Kouba Home Occupation CUP for the property located at 877 West Jackson Road. The property is in the R-1, Rural Residential District.

Please note that the areas highlighted in yellow should get some extra attention as they are the usual areas of concern/variation.

Please note the criteria for which CUP applications should be approved or denied. Let me know if you have any questions on this application.

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



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

**CITY OF WASHBURN**  
**NOTICE OF PUBLIC HEARING**

A Public Hearing will be held by the Plan Commission on, Thursday, February 21, 2019, at 5:30 P.M. at City Hall, 119 Washington Avenue, for public comment on the following issue:

Conditional Use Permit Application:

Request for Home Occupation – Operate a counseling/meditation service out the residence. The property is located at 877 West Jackson Road. Carol Kouba, Petitioner

The property is zoned R-1, Rural Residential. Residents unable to attend the public hearing may provide written comment to the Zoning Administrator prior to the hearing.

Scott J. Kluver  
**Zoning Administrator**

As required by ordinance, copy mailed to property owners within 150 feet of property.

**NOTICES MAILED FIRST CLASS MAIL ON 01/17/2019**

**Ms. Patricia Berg**  
881 Jackson Rd.  
Washburn, WI 54891

**Mr. Richard Bratley**  
815 Jackson Rd.  
Washburn, WI 54891

**Ms. Marilyn Wilson**  
824 Jackson Rd.  
Washburn, WI 54891

**Mr. Thomas Mitchell**  
PO Box 734  
Washburn, WI 54891

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



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**CITY OF WASHBURN**  
**NOTICE OF PUBLIC HEARING**

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Conditional Use Permit Application:

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The property is zoned R-1, Rural Residential. Residents unable to attend the public hearing may provide written comment to the Zoning Administrator prior to the hearing.

Scott J. Kluver  
Zoning Administrator

**publ.: Class 2 – January 26 and February 2, 2019**  
**Daily Press Box Ad**

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



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

To: Plan Commission Members  
From: <sup>SK</sup> Scott J. Kluver, Administrator  
Re: Kouba CUP  
Date: February 14, 2019

Enclosed you will find the application materials for the Kouba Home Occupation CUP for the property located at 877 West Jackson Road. The property is in the R-1, Rural Residential District.

Please note that the areas highlighted in yellow should get some extra attention as they are the usual areas of concern/variation.

Please note the criteria for which CUP applications should be approved or denied. Let me know if you have any questions on this application.

## **CITY OF WASHBURN** **CONDITIONAL USE PERMIT**

A Conditional Use Permit is hereby granted, pursuant to Title 13, Chapter 1, Article 7, Division 3 of the City of Washburn Zoning Ordinance to Carol M. S. Kouba (hereinafter User), in respect to property currently zoned R-6 Mixed Residential District, herein referred to as Subject Property, described as:

**Street Address:** 877 West Jackson Road

**Legal Description:** NE NE NE IN V.825 P.567 & W 100' OF N1/2 SE NE NE LYING N  
OR JACKSON RD IN V.829 P.251 LESS S 25' OF NE NE NE EXCEPT  
W 100' IN V.829 P.250 2403

**Tax ID:** 32450      **PIN:** 04-291-2-49-04-31-1 01-000-10000

This Conditional Use Permit (Home Occupation) is granted for the purpose of permitting the User, and only the User, to engage in the permitted use set forth immediately below:

1. To operate a private practice counseling/meditation service in accordance with Section 13-1-8-536 of the City of Washburn Zoning Code.

This Conditional Use Permit is subject to the following special conditions:

1. This Conditional Use Permit is issued exclusively to the User, does not run with the land for which it is issued, and may not be sold, conveyed, assigned or otherwise transferred to any other person or entity. This permit will be effective once all conditions are complied with as specified in ordinance.
2. Issuance of a Conditional Use Permit does not indicate that the City of Washburn has certified the above referenced dwelling nor has it inspected the building, nor does it ensure that it meets local, state, federal, or professional requirements or standards related to the subject use.
3. All waste container facilities on the Subject Property shall be screened from view (from adjacent streets).
4. User shall construct a sign upon the property; identifying the User's business and the property address. A sign must conform to the City's Sign Ordinance.
5. All conditional uses referred to above may be carried out upon the Subject Property between the hours of 8:00 a.m. and 8:00 p.m. seven (7) days a week.
6. The Common Council for the City of Washburn may at some future date require regular review and renewal of Conditional Use Permits or otherwise change the Conditional Use Permit Ordinances. The holder of the permit may be subject to permit termination and/or renewal at the discretion of the



Common Council or its designee. Holder of the permit may be subject to additional ordinance requirements and expense in that event.

Statement on the nature of the approval:

In approving this Conditional Use Permit, the Plan Commission confirmed the size of the parcel was not an issue, the use is compatible, the location of the use on the property is not a concern, traffic safety should not be a problem, it is a suitable additional use, there are no negative impacts on the environment known of, concerns with impacts on the neighbors were discussed and guest rules will be posted to help address these concerns, and it would not impede the normal development. The Common Council adopts these findings.

Appeal rights for applicant and other aggrieved persons:

Within 30 days of the decision date, a written appeal, including the reasons for the appeal, must be received by the City Clerk. The appeal process will follow the procedure outlined in 13-1-7-23 of the zoning ordinance.

\_\_\_\_\_  
Carol M.S. Kouba

\_\_\_\_\_  
Date

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2019, the above-named Carol M. S. Kouba, to me known to be the person who executed for the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Notary Public, Bayfield County, Wisconsin

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Richard Avol, Mayor  
City of Washburn

\_\_\_\_\_  
Date

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2019, the above-named Richard Avol, known to be the person who executed for the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Notary Public, Bayfield County, Wisconsin

My commission expires: \_\_\_\_\_



\_\_\_\_\_  
Scott J. Kluver, Zoning Administrator  
City of Washburn

\_\_\_\_\_  
Date

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2019, the above-named Scott J. Kluver, known to be the person who executed for the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Notary Public, Bayfield County, Wisconsin

My commission expires: \_\_\_\_\_



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



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

## APPLICATION FOR CONDITIONAL USE PERMIT

(Zoning Code 13-7-51 through 62)

Name: Carol M.S. Koubaw Initial Application ☒ Amendment/Renewal ☐

Physical and Mailing Address of Applicant: 877 W. Jackson Rd., Washburn, WI 54891

Telephone Number: (218) 461-1668 E-mail: 1tacksam1@gmail.com

Address/Description of Permit Property: 877 W. Jackson Rd., Washburn, WI 54891

Requested Conditional Use: 8-536 Home occupation, major Zoning District: R-1

*Applicant shall submit a letter detailing the desired use, along with a scaled site plan of the property if new construction is involved.*

*It is the responsibility of the applicant to provide the name and address (both physical and mailing) of property owners within a 150 foot radius the permit property. Please use attachments for longer lists.*

1. Patricia Berg  
881 Jackson Rd., Washburn, WI 54891
2. (I contacted Patty regarding this venture)
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Carol M. S. Kouba  
Heavenly Healing Hands, LLC  
877 W. Jackson Road  
Washburn, WI 54891  
1tacksam1@gmail.com

December 28, 2018

City of Washburn  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891  
washburnadmin@cityofwashburn.org

To Whom it May Concern,

I, Carol M. S. Kouba would like to start a home-based business in one room of my house. My proposed business is named, Heavenly Healing Hands and it is being created to support individuals on their path to understanding their body, mind, and soul connection.

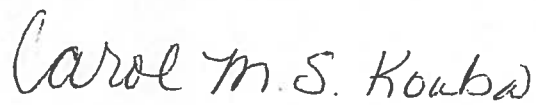
Many individuals benefit from self-introspection so they can deal with the situations they have encountered in life. Through the trainings I have participated in, I have learned numerous techniques that support personal and spiritual growth as well as mindfulness.

The attached business plan details the goals, objectives, and business structure.

The filing fee of \$150.00 is included in the application form and the business plan I have attached to this letter.

Thank you for allowing me to create a home-based business in my home, in the community of Washburn.

Sincerely and Respectfully,



Carol M. S. Kouba

---

## **BUSINESS PLAN**

**Heavenly Healing Hands, LLC**  
877 W. Jackson Road, Washburn, WI 54891

December 14, 2018

## **Executive Summary**

### ***The Ownership***

The company will be structured as a limited liability company (L.L.C.).

### ***The Management***

Carol is the sole owner, and therefore, manager of the company.

### ***The Goals and Objectives***

The goal of this company is to support individuals in their path to healing their body, mind, and spirit. Through self introspection and energy work techniques, clients will feel a sense of renewed calm, spiritual development, and possible physical healing.

### ***The Product***

The primary service offered is energy work, bio-energy psychology, behavioral medicine, and preventive medicine to support clients in learning more about themselves and healing their body, mind, and spirit.

### ***The Target Market***

The clients who will be using the business' services will be people in need of physical or emotional insight and healing. These clients may be young or old, depending upon their need for these services. Some clients will be local but others will be in different parts of the country.

### ***Pricing Strategy***

The pricing will be based on the number of minutes per session each client will need.

### ***The Competitors***

Local energy workers may be competitors but their type of work is different for this company's techniques. Other similar businesses include Reiki Energy Work, acupuncture, and massage, but this business uses different mind and body techniques than the businesses listed above.

## **Business Plan - Heavenly Healing Hands, LLC**

### **The Company**

#### *Business Sector*

The owners would like to start a business in the following industry:  
Mindfulness Mentoring, Light and Energy Work.

#### *Company Goals and Objectives*

The goal of this company is to support individuals in their path to healing their body, mind, and spirit. Through self introspection and energy work techniques, clients will feel a sense of renewed calm, spiritual development, and possible physical healing.

#### *Company Ownership Structure*

The company will be structured as a limited liability company (L.L.C.)

#### *Ownership Background*

Carol M. S. Kouba (member):

Carol is a retired special education and regular education teacher with 34 years of teaching experience, and a masters degree in Curriculum & Instruction, with an emphasis in eLearning and technology.

She started her healing path when she was very young. Throughout the years she has had energy work training with a number of teachers in Minneapolis, MN, and Tahlequah, Ok.

She has also trained with Dr. Sharon Forrest at the Holman Professional Counseling Center in Lake Arrowhead, CA. It was here that she completed a Certification Facilitator Course and a Natural Healing Arts training on: Behavioral Medicine, Preventive Medicine and Bio-Energy Psychology in October of 2018.

She is also a certified massage therapist having completed her training at the Minneapolis School of Massage.

#### *Company Management Structure*

Carol is the sole owner, and therefore, manager of the company.



### *Organizational Timeline*

The planned timeline for reaching the objectives is on an individual basis. Clients will contact the business when they feel a need to do so.

### *Company Assets*

Company assets include massage table, massage chair for seated massages, various pieces of furniture for the energy room, and massage table dressings and lotions.

### **The Product**

#### *The Product*

The primary service offered is energy work, bio-energy psychology, behavioral medicine, and preventive medicine to support clients in learning more about themselves and healing their body, mind, and spirit.

### **Marketing Plan**

#### *The Target Market*

The clients who will be using the business' services will be people in need of physical or emotional insight and healing. These clients may be young or old, depending upon their need for these services.

Some clients will be local but others will be in different parts of the country.

#### *Pricing*

The pricing will be based on the number of minutes per session each client will need.

#### *Advertising*

This business will be advertised through satisfied customers sharing their positive experiences. There will be no need for signs on the property or any other identifying features to advertise the business.

### **Competitor Analysis**

#### *The Competitors*

Local energy workers may be competitors but their type of work is different for this company's techniques. Other similar businesses include Reiki Energy Work, acupuncture, and massage, but this business uses different mind and body techniques than the businesses listed above.

#### *Staffing*

Heavenly Healing Hands, LLC will employ one full-time employee in the initial startup phase.

**CITY OF WASHBURN**

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 27435

Date: 1/02/2019

Check

RECEIVED  
FROM

CAROL KOUBA

\$150.00

**Type of Payment**

Accounting

**Description**

ZONING PERMITS

CONDITIONAL PERMIT APPLICATION FEE

**Amount**

150.00

TOTAL RECEIVED

150.00

shall only become effective when all required signatures have been obtained and the original signature copy is returned to the zoning administrator.

- (18) **Public record copy.** A duplicate copy of the decision document shall be retained as a public record.
- (19) **Recording of decision document.** If the property owner returns the decision document within the required time period with the required signatures, the zoning administrator shall record the decision document against the subject property in the office of the Bayfield County register of deeds.
- (20) **Administrative steps.** If the conditional use is approved and the zoning administrator has created a map showing conditional uses, the zoning administrator shall add the conditional use to that map.

Amendment(s):

1. Ordinance 18-001, adopted April 9, 2018

#### 7-55 Basis of decision

(a) **Generally.** When reviewing conditional uses other than nonconforming conditional uses, the Plan Commission in making its recommendation and the Common Council in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) the presence of and compatibility with other uses on the subject property, if any;
- (3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);
- (4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
- (5) the suitability of the subject property for the proposed use;
- (6) effects of the proposed use on the natural environment;
- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law.

(b) **Nonconforming conditional uses.** When reviewing nonconforming conditional uses, the Plan Commission in making its recommendation and the Common Council in making its decision shall make the following determinations:

- (1) The nonconforming use will not be adverse to the public health, safety, or welfare.
- (2) The nonconforming use is in keeping with the spirit and intent of this chapter.
- (3) The nonconforming use would not be otherwise detrimental to the area and in particular the surrounding properties.

The Common Council shall grant approval for a nonconforming conditional use only if the council can make an affirmative finding for all of the criteria listed in this subsection.

(c) "Substantial evidence" as used in this Article means facts and information, other than mere personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Amendment(s):

1. Ordinance 18-001, adopted April 9, 2018

**7-56 Imposition of conditions**

(a) **Generally.** The Plan Commission may recommend and the Common Council may impose one or more conditions of approval as may be necessary to grant approval. Such conditions and restrictions may relate to the establishment, location, construction, maintenance, operation of the use, off-site impacts, and any other aspect of the use that impacts the public health, safety, or general welfare. Conditions as to the permit's duration, transfer, or renewal may also be included. All conditions must be reasonable and, to the extent practicable, measurable. Any condition imposed must be related to the purpose of the evidence and be based on substantial evidence.

(b) **Condition may not lessen any requirement.** A condition of approval shall not lessen a development standard or other requirement contained in this chapter.

(c) **Special consideration for solar panels.** In those instances where a solar panel is classified as a conditional use, the reviewing authority may impose one or more conditions of approval, provided the condition satisfies one of the following:

- (1) The condition serves to preserve or protect the public health or safety.
- (2) The condition does not significantly increase the cost of the system or significantly decrease its efficiency.
- (3) The condition allows for an alternative system of comparable cost and efficiency.<sup>6</sup>

(d) **Effect on contracts with another party.** The Common Council shall not condition or withhold approval based upon the property owner entering into a contract or discontinuing, modifying, extending, or renewing any contract, with a third party under which the third party is engaging in a lawful use of the property.<sup>7</sup>

(e) **Special condition for business as property owner.** As a condition of approval of a conditional use, the property owner if it is a business entity, such as a limited liability company or a corporation, shall for the life of the conditional use continuously maintain a registered office and registered agent in the state of Wisconsin as evidenced by registration with the Wisconsin Department of Financial Institutions.

Amendment(s):

1. Ordinance 18-001, adopted April 9, 2018

**7-57 Application form and content**

The application submittal shall include an application form as may be used by the City and a project map prepared at an appropriate scale depicting the information listed in Appendix A.

**7-58 Staff report content**

The staff report shall contain preliminary findings for the decision criteria listed in this division and other information deemed appropriate.

**7-59 Content of decision document**

(a) **Approval.** If the application for a conditional use is approved, the decision document shall include the following:

- (1) a statement that the application is approved,
- (2) a description of the conditional use,
- (3) a description of where the conditional use will occur on the property,
- (4) reasons for the decision based on the criteria listed in this division,
- (5) a list of conditions of approval that must be satisfied prior to the establishment of the conditional use or complied with during the life of the conditional use, or both,

<sup>6</sup> Commentary: See s. 66.0401(1m), Wis. Stats.

<sup>7</sup> Commentary: See s. 62.23(7)(gm), Wis. Stats. The City, for example, could not require an applicant to terminate an existing contract with another party that is engaged in a lawful use of the property.

- (6) a statement indicating that the property owner must sign the decision document and return it to the zoning administrator to acknowledge acceptance of the same,
- (7) a statement that the applicant may appeal the decision to the Zoning Board of Appeals,
- (8) a statement that an aggrieved person, other than the applicant, may appeal the decision and that any work done by the applicant as authorized by the approval is done at the applicant's risk,
- (9) a statement indicating the nature of the approval (i.e., personal to the property owner or runs with the land),
- (10) other information the Common Council or zoning administrator deems appropriate,
- (11) the signature of the zoning administrator on behalf of the Common Council, and
- (12) the date of the decision.

(b) **Denial.** If the application for a conditional use is denied, the decision document shall include the following:

- (1) a statement that the application is denied,
- (2) a description of the project, including acreage and proposed use characteristics,
- (3) reasons for the decision based on the criteria listed in this division,
- (4) a statement indicating that the denial does not limit the applicant's ability to resubmit a revised application for consideration,
- (5) a statement that the decision may be appealed as provided for in this division,
- (6) other information the Common Council or zoning administrator deems appropriate,
- (7) the signature of the zoning administrator on behalf of the Common Council, and
- (8) the date of the decision.

#### **7-60 Effect of approval**

Unless otherwise specified in the conditional use order, approvals are personal to the property owner meaning the approval automatically lapses when the property owner ceases to own the property.

#### **7-61 Expiration of an approval**

(a) **Non-establishment of use.** If the zoning administrator determines that substantial work as authorized by a conditional use approval did not commence within 12 months of the date of approval or if substantial work did commence within 12 months of the date of approval but has not continued in good faith to completion, he or she shall initiate the process to terminate the approval pursuant to Division 18 of this article. Upon written petition and with cause, the zoning administrator may grant a one-time extension not to exceed 6 months provided (i) the permit holder requests the extension prior to the expiration of the approval, (ii) the permit holder clearly demonstrates that circumstances beyond his or her control prevented the start of construction and the continuation of the same, and (iii) the project complies with this chapter in effect at the time the extension is granted.

(b) **Cessation of use.** If the zoning administrator determines that a conditional use has ceased to operate for any reason, whether intentional or otherwise, for more than 12 continuous months, he or she shall initiate the process to terminate the approval pursuant to Division 18 of this article.

#### **7-62 Amendment of an approved conditional use**

Following approval of a conditional use, the Plan Commission shall review all proposed changes to the approval. If in the opinion of the Plan Commission, the proposed change constitutes a minor alteration, the Plan Commission may approve the requested change in writing at a regular or special meeting of the Plan Commission without following the review procedure in this division. If the proposed change constitutes a major alteration, the review procedure in effect at the time of submittal shall be followed.

#### **7-63 to 7-70 Reserved**

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4

**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>SSK</sup> Scott J. Kluver, Administrator  
Re: Request to Review Water and Sewer Credit Policy – Part II  
Date: February 26, 2019

At the last Council meeting, it was requested to have a revision of this policy drafted for consideration. That revision was related to the ratio between sewer volume charges and water volume charges. As sewer has a volume charge \$8.66 per 1,000 gallons used and water has a volume charge of \$5.36 per 1,000 gallons used, the ratio for the water base charge would be \$312 if sewer is maintained at \$500.

Enclosed you will find a draft of the revised water and sewer credit policy if this change is adopted.

Also, for your information, the existing policy has been utilized seven times since it was implemented in 2014.

Please know that even with this change, Mr. Doucette's account would not be eligible for a credit.

If you have further questions on this matter, or wish to discuss any alternative credit proposals, please do not hesitate to contact me.



# Washburn Water and Sewer Credit Policy

Adopted 07/14/14 by the Common Council

Amended 09/08/14 by the Common Council

## Draft Amendment 031119

The Washburn Water and Sewer Utility (Utility) may give a credit for water and sewer billed in the case of a leak in a customer's plumbing or a defective appliance. This policy shall apply to all classifications of Utility customers. The following guidelines will be used in consideration of issuing a credit:

1. Upon notification by the customer of a problem with their plumbing or a defective appliance, the Utility shall provide the customer with a copy of the utility credit policy.
2. The customer must request a credit in writing. The customer must include this information in the written credit request: the nature of the leak, when the leak occurred, and what was done to repair the leak. Permission must also be given for Utility staff to inspect the premises. The Utility may also contact the contractor if a contractor was used for the repair.
3. The customer must request a credit within 90 days of locating the leak or receiving a high water and sewer bill.
4. The credit may only be given for the most recent quarter of water and sewer billed. The credit will be based on the average quarterly usage of the year preceding the quarter that the credit is being applied for (or for as long as the customer has lived at the site if less than one year). If there is less than one complete quarter of history, no credit shall be available if ~~the water or~~ the sewer volume charge is below \$500 or if the water volume charge is below \$312, and \$500 shall be the minimum credited charge for ~~both water and sewer~~ and \$312 for water respectively.
5. Once the average quarterly usage is established, 300 percent of the average quarterly usage shall be charged for both water and sewer (when applicable) with a \$500 minimum for sewer and \$312 for water each as a surcharge to cover administrative expenses and serve as an incentive to maintain proper plumbing.
6. A customer may only receive one credit per property every 20 years.
7. The Utility shall notify the customer in writing of the credit determination and calculation and copy the Common Council.
8. The Utility shall keep on record the credits issued to each property.
9. The issuance of a credit is not an admission by the Utility of any responsibility of damage that may have occurred as a result of a water leak.

**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>SSK</sup> Scott J. Kluver, Administrator  
Re: Request to Review Water and Sewer Credit Policy  
Date: January 24, 2019

Enclosed you will find a letter from Sharilyn Sandstrom who is writing on behalf of her father, Jerry Doucette. You will see the letter attached that explains what happened in that situation. The usage for the past quarter was 42,100 gallons of water. This resulted in a bill that was approximately \$500 higher than normal.

To their disappointment, Mr. Doucette is not eligible for a credit under the current policy. The reason being is that neither the water, nor the sewer volume charges were above \$500. There is a minimum volume charge of \$500 for both water and sewer.

For a bit of history, the Council established the current policy in 2014 to help offset some extreme cases of plumbing failures. Prior to that time, the City had no policy in place and individuals were charged whatever amount ran through their meter. On occasion, this would lead to some very upset people. The current policy was approved to make sure there was still a strong incentive to maintain good plumbing.

The City is allowed to have a credit policy per PSC regulations in order to help resolve disputes. The current policy has been utilized once or twice per year on average since it has been adopted.

If the Council would like to review and make changes to the current policy, I can discuss that further with you. The Council should not make any special exceptions or it will open the floodgates.

1/3/19

To Whom It May Concern:

Recently, Kaye Bratley called my sister, Melody Fleig, in December to inform us of a high volume leak at 601 W. 4<sup>th</sup> St, Washburn.

As of October 1<sup>st</sup> 2018, no one has been living at this address, but, we have had two rummage sales and two showings of the house. Someone used the bathroom during those events which caused the problem.

My Dad and Brother immediatly went and fixed the problem. The flapper was held down to long and plunger in back of tank would not allow tank to fill and shut off, therefore, the cause of extreme volume of water and sewer.

Our father has served on the water works committee for several years and has proven to be a fine member of Washburn's community.

We are asking if you could please give our father a credit for this misfortune.

Shawlyn Sandstrom

1/24/2019 11:20 AM

Meter Information

Page: 1  
UTIL

Account Nbr: 000-4420-00 Customer Name: DOUCETTE, JERRY  
Service Address: 601 WEST FOURTH STREET  
PSC Classification: Residential

Meter Nbr: 69941074 Rate Type: 5/8" Install Date: 12/10/2008  
Route/Seq Nbr: 01-1385 Location: SENSUS OR Pressure Zone Cd: 00  
ROM Serial Nbr: ROM Install Date:  
Register ID: 63626766

Utilities: SEWER WATER

Memos: 1st: CC done 10/10/17.  
2nd:  
3rd:

<u>Read Date</u>	<u>Reading</u>	<u>Consumption</u>	<u>Comment</u>
12/07/2018	2001	421	RemRd-Toilet
9/14/2018	1580	36	Remote Reading
6/18/2018	1544	39	Remote Reading
3/15/2018	1505	32	Remote Reading
12/13/2017	1473	32	Remote Reading
10/10/2017	1441	0	CC done
9/13/2017	1441	47	Remote Reading
6/07/2017	1394	33	Remote Reading
3/15/2017	1361	34	
12/15/2016	1327	34	
9/15/2016	1293	61	
6/15/2016	1232	40	
3/15/2016	1192	38	
12/15/2015	1154	30	
9/15/2015	1124	43	
6/15/2015	1081	27	
3/15/2015	1054	29	
12/15/2014	1025	26	
9/15/2014	999	33	
6/15/2014	966	37	
3/15/2014	929	29	
12/15/2013	900	39	
9/15/2013	861	46	
6/15/2013	815	33	
3/15/2013	782	39	
12/15/2012	743	35	
9/15/2012	708	42	
6/15/2012	666	34	
3/15/2012	632	45	
12/15/2011	587	33	

1/24/2019 11:21 AM

Account History - Summary  
ALL Transactions

Page: 1  
UTIL

Post Date: From: 1/24/2018 Account Nbr: From: 000-4420-00 Group Cd: From:  
Thru: 1/24/2019 Thru: 000-4420-00 Thru:

Account Nbr:	000-4420-00	Name:	DOUCETTE, JERRY	Running Balance	
	1/23/2018	- Balance:		0.00	
<u>Post Date</u>	<u>Trans Date</u>	<u>Type</u>	<u>Trans ID</u>	<u>Amount</u>	
3/31/2018	3/31/2018	Bill		230.12	230.12
4/24/2018	4/24/2018	Late Charge		5.42	235.54
5/01/2018	4/30/2018	Receipt		-230.12	5.42
5/10/2018	5/09/2018	Receipt		-5.42	0.00
6/29/2018	6/30/2018	Bill		239.93	239.93
7/09/2018	7/06/2018	Receipt		-239.93	0.00
9/28/2018	9/30/2018	Bill		235.74	235.74
10/16/2018	10/09/2018	Receipt		-235.74	0.00
12/31/2018	12/31/2018	Bill		745.58	745.58
1/08/2019	1/07/2019	Receipt		-745.58	0.00
					=====
		000-4420-00 - Ending Balance:			0.00

**CITY OF WASHBURN**

PO BOX 638

WASHBURN, WI 54891

(715)373-6160

**ACCOUNT NUMBER**

000-4420-00

**ENTER AMOUNT PAID**

ACCOUNT ID: 000-4420-00  
DOUCETTE, JERRY  
1616 BEASER AVE - APT 13  
ASHLAND WI 54806

**BILLING DATE**

12/31/2018

**AMOUNT DUE**

\$745.58

**DUE DATE**

1/21/2019

**AFTER DUE DATE PAY**

\$762.89

-----  
PLEASE RETURN TOP PORTION WITH YOUR PAYMENT**READING DATES****PREVIOUS**

9/14/2018

**PRESENT**

12/07/2018

**BILLING DATE**

12/31/2018

**DUE DATE**

1/21/2019

**ACCOUNT NUMBER**

000-4420-00

**PREVIOUS**

1580

**PRESENT**

2001

**USAGE**

421

**DESCRIPTION**

FIRE PROTECT

REFUSE CHG

SEWER - VOLUME

SEWER - SERVICE

STORMWATER CHG

1580

2001

421

WATER - VOLUME

WATER - SERVICE

**AMOUNT**

27.81

35.25

364.59

75.55

15.75

195.73

30.90

AMOUNT DUE

745.58

Last Payment: 10/09/2018    Amount: \$235.74  
Security Code: 4822

**SERVICE ADDRESS**

601 WEST FOURTH STREET

**CITY OF WASHBURN**

PO BOX 638

WASHBURN, WI 54891

(715)373-6160

---

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: RFQ Process – Next Steps

Date: February 26, 2019

The deadline for our Request for Qualifications (RFQ) process related to development on the Omaha Property has passed, and the only respondent was Movin' Out. The RFQ was pushed out to past developers and parties that had expressed interest in Washburn over the past five years along with publishing the notice and doing social media boosts of the notice to the upper Midwest. The response is similar to what we received two years ago when there were only two respondents and the notice was sent to every contractor in the upper Midwest above a minimum construction amount.

Per the RFQ process that was outlined, the next step for qualifying applicants would be to come to Washburn for a community visit and site tour. As this is the fourth time that Movin' Out has indicated that they are interested in working with Washburn, and they have been here on a number of occasions, I am not certain this step is necessary. They are familiar with us, the question is, are we familiar enough with them? Is the Council ready to say yes and go on to the next step, or no, we are not interested in this type of development? If the Council chooses to proceed to the next step, it would be requesting from Movin' Out: 1) a conceptual site plan, 2) a proposed timeline from shovel in the ground to total buildout, 3) estimated costs, 4) proposed financing for the project, and 5) type and amount of public assistance needed, if any. If the Council is not comfortable enough to make a decision on the yes or no question, I need to know what is necessary for you to make that decision.

Everyone here realizes that this topic has generated a lot of discussion over the years and again in the past couple months. There are a number of people for and against this proposal, there are pros and cons to the proposed development, and there are unanswered questions as to how it would play out. In general, most people seem to agree that there is a need for additional housing in Washburn. Getting into what type of housing begins to splinter groups off the discussion. Would the Movin' Out project address all of Washburn's housing needs? In my opinion, probably not. However, the market analysis the City commissioned indicates that, most likely, the only type of housing development in Washburn that would be profitable to a builder is one that utilizes federal tax credits to lower the cost of the development. Would such a development be a catalyst for future development? I can not say for certain. Nonetheless, there are strong opinions on that topic.



## Memo 1211 RFQ Process Next Steps – Page 2

So, if the Council proceeds under the premise of “something is better than nothing,” where would such housing go? For the past decade or more, the City has had the Omaha property for sale with the intentions of seeing property developed to increase the tax base of the City. Increased utility customers and usage would also be a benefit to the City. The City sold the property at one time with the hopes it would be developed, but exercised its right to purchase the property back when the developer did not take action within the timeline that was agreed to at the time of the sale. Since then, studies and plans have been proposed as to what type of development would be most appropriate there. I have included a portion of the Comprehensive Plan, as amended in 2017, that discusses what this area is desired to be. Because of the desire to keep Bayfield Street full, and considering the practical reality of that is where the customer base traffic is, along with the signage restrictions imposed because we are part of the Scenic By-Way, commercial development of the Omaha property is not practical. Housing in that area was the focus of the plans developed about three years ago by Cedar Corporation and approved by Council, and there are still signs on the property today showing the plans for a concept mix-style residential development.

Does the Movin’ Out proposal fit in with the plans? High density residential fits. There is some debate on some of the subjective provisions included in the comprehensive plan. From a zoning perspective, the development would certainly be allowable assuming proper permits and processes are followed. So if not here, then where else? This question has been posed to me. I must take Movin’ Out at their word that the application for the federal housing credits is dependent upon location including proximity to community services and walkability. Property that the City owns near the Cemetery would not likely score high because of this and because there would be more expense in extending utilities for a development this dense. Moving the athletic fields to a new location may work, but that would also result in some significant additional expense that has not been itemized out at this point. There are no other viable City owned properties. The County was approached about the nursing home property the last time Movin’ Out was under consideration. No interest was expressed by the County at that time to proceed with a housing development at that location. No other private properties have been pursued because they would need to be obtained at a very low cost to make the project viable. Any significant additional expenses for this project would likely be a non-starter. In addition, if we want to study any other potential property, the application for federal housing tax credits would not be made in time for this cycle. The City would have to wait another two years, to work with Movin’ Out or another developer who works with these tax credits.

So, it comes down to a yes or a no, or a no for the next two years for federal tax credits if there is a desire to study other locations if this is a type of housing that the Council still wants to pursue. I believe that some new ideas would have to be brought to the table in order for such a plan to work in the future or we will be chasing our tail. A federal tax credit housing project needs to maximize points in order for it to be awarded, and the project has to be economically viable to construct in order for it to be a benefit for the developer and the City. If the Council decides not to pursue this project without further direction, I would not take any other actions to market the Omaha property for the foreseeable future. If someone would happen to come along, we would entertain proposals on a case by case basis.

A lot of you have come to me with questions. If I can be of further assistance on this, please let me know. I do not envy your positions, but will help in making the best informed decision that you can. I certainly hope that members of the community can understand the difficulty of these decisions and respect the fact that everyone here is trying to make Washburn better regardless of your stance on this particular topic.



Movin' Out, Inc.  
902 Royster Oaks Drive, Suite 105  
Madison WI 53714-9109

(608) 251-4446  
(877) 861-6746 TOLL FREE  
(608) 819-0623 FAX  
[www.movin-out.org](http://www.movin-out.org)

*Housing solutions for people with disabilities*

February 15, 2019

Mr. Scott Kluver, City Administrator  
City of Washburn  
119 Washington Avenue  
Washburn, WI 54891

RE: Request for Qualifications for Residential/Mixed Use Development on City-Owned Land

Dear Mr. Kluver,

Please accept this response to the above noted Request for Qualifications. Movin' Out has assembled a development team to propose a multi-family residential development on a portion of the 9.88 acres of land owned by the City of Washburn. This team consists of **Movin' Out, Inc.**, **The City of Washburn & Bayfield County Housing Authority**, and **Cedar Corporation**. This team will provide quality development, planning, and property management services that at a minimum can carry out specific aspects of the tasks involved to accomplish a multi-family development. Our organization and team's primary interest is in planning, developing, owning, and operating the rental housing portion of the envisioned project. However, we would be willing to work with other developers that may have an interest in developing for-sale residential housing or commercial development on the parcel.

Movin' Out was started by a group of parents in Dane County looking for creative and collaborative ways to help their adult children with disabilities avoid living in expensive institutional settings when they were ready to "move out" of the family home. Incorporated in 1996, Movin' Out is a non-profit, 501(c)3 housing organization that works primarily with households where at least one household member has a permanent disability. Its mission is to **partner with people with disabilities and their allies to create and sustain community integrated, safe, affordable housing solutions.**

**The City of Washburn & Bayfield County Housing Authority** is interested in partnering as co-developer and property manager for the proposed project. The Housing Authorities owns and operates multiple properties throughout the community.

Having prepared the Development Plan for the City Owned Properties, **Cedar Corporation** is extremely familiar with the site listed in the RFP. We have a strong understanding of the site characteristics, the public and private utilities and the overall site development challenges. Cedar Corporation worked with the Washburn Development Authority to create a vision for the future development of the 10.1 +/- acres. This included developing a number of potential development scenarios including opinions of probable costs for infrastructure investment.

### The Proposed Site

Movin' Out is currently working on a more detailed proposal as requested for Step 3 of the RFQ. We wanted to provide a general overview of the type of development we would be interested in working on with the City. We will be proposing an affordable, multi-family development on the portion of the site that fronts West Omaha Street. The buildings would be high-quality construction architecturally suited to people of all ages. We would target approximately 40 units of mixed-income housing ranging from one to three bedrooms. Units would further be affordable to a mix of 30%-60% County Median Income with rents being set accordingly. This income targeting would truly be workforce housing built to provide affordable housing solutions to area workers. Typically, our developments also target 20% of the total units to households where at least one member has a permanent disability or is a military veteran. We will also work to target 20% of the total units (8 in a 40-unit development) market rate units as well providing for a fully integrated development with respect to unit size, income levels, and abilities.

In addition to development services, Movin' Out provides assistance to families interested in becoming homeowners and/or maintaining their homes by providing access to HUD-certified housing counseling and down payment and/or rehab financing through programs we operate. It may be possible to include access to these services and resources to eligible buys and homeowners as part of our involvement in this project. Pairing quality affordable rental housing development with home ownership and repair opportunities could create significant position social and economic impact for the community. Our team would work with the City to identify funding and opportunity if the City is interested.

To summarize, Movin' Out, Inc. has nearly 25 years of experience in helping low income families with the purchase of a home or attaining permanent affordable rental housing. In providing these services, Movin' Out works in close partnership with human service systems throughout the state to ensure that households who need supportive services have a commitment for those services as part of their housing plan. Movin' Out also develops, owns, and operates larger multifamily housing projects that integrate up to 25% of the units set aside for low income households with family members who have a permanent disability and/or are military veterans. Because of our foundational values and our track record of success with community integration, we do not develop, own or operate housing that congregates special needs households or requires operational licenses. Movin' Out staff has significant skills and experience in real estate development from inception through lease up and beyond. Our team has worked for over 50 combined years in the affordable housing industry developing more than 60 combined developments. More details on our development experience as well as the experience of our partners are provided in this RFQ submission.

We believe that Movin' Out and its team members can provide the essential skills needed to plan, finance, construct, and operate a successful multi-family development on the proposed site. We are prepared to work with the City and other team members to create a plan for the entire site and do our part in carrying it out. We believe this site has the potential to provide the City of Washburn and its citizens with an outstanding opportunity for growth.

Please do not hesitate to contact us with any questions or requests for follow- up information.

Sincerely,



Megan Schuetz

Real Estate Developer - Movin' Out, Inc.

(608)229-6910



## Company Description

***Movin' Out, Inc.*** is a nearly 25-year old 501(c)3 non-profit organization, overseen by a board of directors, and serving individuals with disabilities and families with a member with a disability, as well as veterans, across the state of Wisconsin. Movin' Out provides a range of safe, community-integrated, affordable housing solutions, from HUD-certified housing counseling and assistance with down-payment and rehab, to a variety of rental housing options.

We work in close partnership with human service agencies to ensure that households who need supportive services to be successful in their homes have a commitment for those services as part of their housing plan. We work with property management organizations to ensure high quality ongoing management and maintenance. Movin' Out provides Tenant Success Services to residents who live in supportive units to address the gap between property management and supportive services provided by others.

During the past nearly 25 years, Movin' Out, Inc. has assisted over 1,600 low-income households to purchase homes. Additionally, during the past 13 years, Movin' Out, Inc. has developed and owns and operates over 1,000 units of affordable rental units in five Wisconsin counties. We have participated in the entire development process, from planning and securing capital subsidies to coordinating with partners through design and construction and then managing the process through lease-up.

You will find additional information about Movin' Out and its staff in the Resume section.

In addition, Movin' Out is working to form a highly experienced team. ***The City of Washburn & Bayfield County Housing Authority*** will serve as co-developer and property manager upon approval by their Board of Directors. The Housing Authorities currently manage 182 housing units along with additional Section 8 vouchers that serve the City of Washburn and Bayfield County.

***Cedar Corporation*** will provide architectural, planning, economic development, and engineering services. Cedar Corporation is a professional service firm with disciplines in engineering, architecture, environmental repair, planning, landscape architecture, and land surveying. Cedar has provided the attached letter noting their interest and commitment in working on this development. Having prepared the Development Plan for the City Owned Properties, Cedar Corporation is extremely familiar with the site listed in the RFP. We have a strong understanding of the site characteristics, the public and private utilities and the overall site development challenges. Cedar Corporation worked with the Washburn Development Authority to create a vision for the future development of the 10.1 +/- acres. This included developing a number of potential development scenarios including opinions of probable costs for infrastructure investment.

Resumes for the other team members can also be found in the Resume section.





### **Movin' Out Background and Organizational Structure**

Movin' Out, Inc. is a nearly 25-year old 501(c)3 non-profit organization, overseen by a board of directors, and serving individuals with disabilities and families with a member with a disability, as well as veterans, across the state of Wisconsin. Movin' Out provides a range of safe, community-integrated, affordable housing solutions, from HUD-certified housing counseling and assistance with down-payment and rehab, to a variety of rental housing options.

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### **Movin' Out Development Experience**

#### **The Royal – Madison WI**

48 units of mixed-income, mixed-use Section 42 property in Madison completed in partnership with Mirus Partners.

#### **Pinney Lane - Madison, WI**

18 units of supported housing as part of a 70 mixed-income, mixed-use Section 42 project carried out as a joint venture with ACC Development on the near East side of the City of Madison as part of a 28-acre redevelopment on a former Royster-Clark brownfield.

#### **Pioneer Ridge Apartments - Wisconsin Dells, WI**

18 units of supported housing integrated into a 72-unit mixed-income Section 42 financed project located in the Northeast section of Wisconsin Dells. This project is a joint venture with Mirus Partners.

#### **Elven Sted - Stoughton, WI**

33-unit affordable rental housing projects financed with Section 42 tax credits.

#### **Madison and Main - Waunakee, WI**

10 units of supported housing integrated into a newly constructed 78-unit market rate, mixed-use project in downtown Waunakee, Wisconsin. Movin' Out partnered with CBH, LLC, a partnership of local business people from Waunakee, to plan and develop this innovative project.



**Berkshire Greendale - Greendale, WI**

11 units of affordable rental housing for seniors with permanent disabilities as part of a 90-unit independent senior housing project which Movin' Out did in partnership with General Capital Group. The project is financed with a combination of Section 42 tax credits and federal HOME funding.

**Bradley Crossing - Brown Deer, WI**

11-unit affordable rental housing project targeted for families who have family members with permanent disabilities which is part of a 60-unit Section 42 financed supportive housing project. Movin' Out completed this project in partnership with Jewish Family Services and General Capital Group.

**Globe Apartments - Watertown, WI**

11 units of supported housing integrated into a 48-unit Section 42 tax credit project located in downtown Watertown, WI. Movin' Out carried out this project in partnership with Mirus Partners and Horizon Development and Construction.

**Harbor House - Madison, WI**

11-unit affordable rental project integrated within a 240-unit owner occupied condominium project that utilized a combination of Federal Section 811 and HOME funding

**Middleton Senior Apartments - Middleton, WI**

8 units of affordable rental housing for seniors with permanent disabilities as part of a 56-unit independent senior housing project in which Movin' Out partnered with MSP Inc. The project is financed with a combination of Section 42 tax credits and federal HOME funding.

**Maple Grove Commons - Madison, WI**

20 units of supported housing integrated into a 78 unit mixed-income Section 42 financed project located on McKee Road in Southwest Madison as a joint venture with Oakbrook Corporation.

**Monroe Street Apartments - Waterloo, WI**

8 units of supported housing integrated into a 24-unit, mixed-income Section 42 project carried out as a joint venture with Mirus Partners and located in downtown Waterloo, WI, in Jefferson County.

**New Berlin City Center - New Berlin, WI**

102-unit affordable rental housing project for families with 11 units reserved for tenants who have family members with permanent disabilities. This project was developed in partnership with MSP Inc. The project is financed with a combination of section 42 tax credits and federal HOME funding.

**North Lawn Avenue - Madison, WI**

Redevelopment of existing older single-family home into a fully accessible rental duplex.

**North Port - Glendale, WI**

10-unit affordable rental project integrated within a 40-unit owner occupied condominium project that utilized a combination of Federal Section 811 and HOME funding.

**Shawano Duplex - Shawano, WI**

Construction of a fully accessible rental duplex.





**Stonebridge - Madison, WI**

12-unit affordable rental project integrated within a 300-unit owner occupied condominium project that utilized a combination of Federal Section 811 and HOME funding.

**West Bend - West Bend, WI**

Acquisition and rehabilitation of a fully accessible rental duplex.

***Board of Directors***

As of December 31, 2018

<b>Lisa Barwinski</b> AVP Associated Bank	<b>Jean MacCubbin</b> Retired, WI Dept. of Safety and Professional Services	<b>Sinikka Santala</b> Retired, Wisconsin Department of Health Services
<b>Jake Johnson</b> Owner/Producer Paradyme Productions	<b>Russ Endres</b> President, Wisconsin Management Company, Inc.	<b>Edward Erwin</b> Retired, UW-Madison School of Social Work
<b>Cheryl Schiltz</b> Movin' Out homeowner, disability advocate & photographer	<b>Peter Wilson</b> Director of Administrative Services DeForest Area School District	<b>Karyn Knaak</b> Manager, Business Development Cinnaire
<b>Sariah Daine</b> Commissioner and Vice-Chair Madison Community Development Authority	<b>Valerie Brown</b> Disability and housing advocate; Movin' Out, Inc. homeowner	Open – The Nomination Committee of the Board of Directors is currently working to fill this seat.

**Staff Experience**

The Movin' Out Rental Development Team consists of senior experts in managing complex housing and disability programs. They have significant professional experience and competencies in all the necessary areas to successfully develop and operate the proposed housing. Movin' Out, Inc.'s key development staff include Dave Porterfield and Megan Schuetz.

*Dave Porterfield*, Director of Real Estate Development, has nearly 30 years of affordable housing development experience. He has been involved with Movin' Out since its inception, providing a range of consulting and advisory services to the organization. Dave joined the staff in 2006 to lead Movin' Out's development projects. He has extensive experience with a wide range of financing programs including, but not limited to, HUD Section 811 and Section 42 Tax Credits.

*Megan Schuetz*, Real Estate Developer, joined Movin' Out in the summer of 2018, bringing over 12 years of real estate development experience from a leading for-profit developer in Wisconsin. She has worked on over 40 developments totaling more than \$400M.



In addition to the Rental Development Team, Movin' Out employs staff with deep experience in leadership, community engagement, program development and compliance, asset management, and housing counseling.

*Kathryne Auerback*, Executive Director, joined the organization in Spring 2018. She brings over 25 years of experience leading change for healthier and more equitable organizations and communities. She has managed numerous green building and other environmental and health-related enterprises. Her experience includes designing and leading a broad range of innovative community and economic development initiatives. Auerback earned her MA and MBA degrees from UW-Madison.

As the Asset Manager, *Mary Myers* has a key role in preserving and increasing the quality and sustainability of the properties Movin' Out reserves for low-income tenants with disabilities. She tracks the financial and operational performance of Movin' Out's rental housing portfolio, oversees property management partners, and composes required reports to public and private agencies. As asset manager, Mary is also responsible for knowing and interacting with tenants living in supportive units, their supportive service teams, and guardians or family members. She has extensive training in numerous aspects of asset and property management and has earned her MBA.

*Amy Kallas*, Associate Director, began her work at Movin' Out in 2005 as a Housing Counselor and later moved into the role of Program Compliance Manager, managing operations, grant writing, and reporting. She was promoted to Associate Director in 2017. Amy holds a degree in Psychology from UW-Stevens Point. Prior to joining Movin' Out Amy worked at various human services agencies in direct services, support coordination, and management.

*Janice Moen*, Team Administrator, joined the organization in January 2019. Classically trained as a CPA, financial/compliance auditor, and general business advisor including taxation, her 30+ years of progressive experience includes achieving mission-critical goals in key functional areas including: financial management, human resources administration, business development, client care, and team support. Moen earned a Bachelor of Business Administration degree from University of Wisconsin.

*Sara Hurley* has been a HUD-certified Housing Counselor with Movin' Out since 2014. She has over 20 years of case management experience working with adults with developmental/intellectual and physical disabilities.

*Paula Tiffany* has been employed as a HUD-certified Housing Counselor at Movin' Out, Inc. since 2001. Prior to working at Movin' Out, Paula worked for 10 years with children with developmental disabilities and mental health issues. She also provided case management services to people with disabilities. Paula is a graduate of UW-Madison.

*Rebecca Wiese* has been a HUD-certified Housing Counselor with Movin' Out for over 10 years. She previously worked for many years helping people with developmental disabilities to find jobs. Rebecca earned her degree in Social Work from UW-Oshkosh.







Home is the foundation...





## RENTAL HOMES

Housing that is safe, decent, and affordable is critical to achieving stability for many low-income families. That's the biggest takeaway in the story of Rita and her daughter Kerika, who live in one of Movin' Out's rental homes.

Rita was born and raised in Mississippi but spent many summers working in Madison



as a young adult. Her daughter Kerika was born during one of those summers in Madison. Rita moved to Memphis in 2007 but struggled with living in a violent neighborhood where she and Kerika did not feel safe. She found it extremely difficult to access the supportive services that her daughter Kerika needed. This prompted her decision to move to Madison in 2014 to find a safer and more stable situation for her family.

"We started out from scratch again" is how Rita describes their permanent move to Madison. It was a "godsend" to hear about Movin' Out from a friend.

With a safe yet affordable place to live, Rita was able to put together all the pieces of Kerika's support system. Now Kerika participates in Community Support Network's programs, works part time at

the Waisman Center, and receives additional support from Community Living Alliance.

"It's a quiet neighborhood and Movin' Out takes good care of our home – I don't have the worry and stress I used to have," says Rita about their living situation. "I couldn't ask for a better spot. We are blessed." ■

## HOMEOWNERSHIP

Sarah applied to Movin' Out, Inc with the hope that we could help her reach her dream of homeownership. She was already pre-approved at UW Credit Union and had an accepted offer to purchase a home in Madison.

Rebecca, a Housing Counselor at Movin' Out, Inc, worked with Sarah to get her approved for their City of Madison HOME funds. These funds are used for down payment assistance and are paid back



with a shared appreciation when the house is sold. With the help of Movin' Out, Inc, Sarah had enough funds to purchase her home.

Sarah was involved in an ATV accident a few years before she decided to pursue her dream of homeownership. This accident, unfortunately, left her paralyzed from the

waist down. Because Sarah now requires a wheelchair, she also had to completely modify her home to make it handicap accessible. After purchasing her home, the accessibility work started. A month later she was able to move in.

Sarah lives in a beautiful neighborhood, surrounded by nice neighbors who were very welcoming when she arrived. Sarah couldn't be more appreciative to the credit union, her realtor and Movin' Out, Inc for helping her reach her life-long dream of becoming a home owner! ■

## APARTMENT DEVELOPMENTS



Community is a critical element to achieving a high quality of life for everyone, but low-income people with disabilities encounter more barriers than most. Donna, who lives at Elven Sted in Stoughton, is living testament to finding a way to overcome those barriers.

Donna has lived in Stoughton on and off for most of her life, working and raising her daughter there. As she aged and her disabilities began to have more of an impact on her life and activities, Donna realized that she needed a safe place to

live that would enable her to build a supportive community for herself. She knew that stability and affordability were also critical to her mental and physical well-being.

Donna saw her chance when Elven Sted opened in 2011. As a new multi-family apartment building with several units reserved for residents with disabilities, Elven Sted offered exactly what Donna was looking for: affordability, stability, and community.

"I like it here a lot." Donna says now with a big smile. "All my friends live here." With a safe and affordable place to live, Donna actively participates in both her Elven Sted community and the larger Stoughton community. She's a mover and a shaker, volunteering five days a week at the local senior center where her mother lived and with a self-advocacy group. She works out at a local gym regularly and is active with the local Kiwanis Program for Adults with Disabilities. One of Donna's favorite activities is to gather with a group of friends every Friday night at a local restaurant.

"This place is perfect for me. I want to stay here forever," Donna proclaims firmly. Thanks to Elven Sted's affordable units for low-income people with disabilities, Donna feels secure in knowing that she can stay in her home and enjoy its many benefits for as long as she wants. ■

## HOME REPAIR

Ted contacted Movin' Out when his air conditioner was in need of repair on a very hot day of the summer. He was very concerned about the heat and how he was going to



get his air conditioner working again. A Housing Counselor worked with Ted to get this repaired as quickly as possible due to his medical issues that require a cool home. Once the air conditioner was repaired he was able to focus on other items that needed repair.

Ted was very careful to find contractors who would give him the best deal so that



the money could be used for many projects that he needed done. The work he had done included new windows and storm doors, a new shower and his front steps were rebuilt for safety reasons.

Ted is very pleased with the repairs that were done to his home and is happy to show off his home and tell others about the help he received from Movin' Out. Ted is very appreciative to Movin' Out for the support and enjoyed the phone calls with his Housing Counselor to coordinate all of the work. ■

## LETTER FROM LEADERSHIP

The year 2016 was another busy one for Movin' Out. We continued our work helping low-income and moderate-income households, primarily those including people with permanent disabilities, each move to the home they want. With the worry of their housing needs met, people can better address other important parts of their lives and live life more fully.

During 2016 Movin' Out provided housing counseling to 561 households. We arranged favorable financing for 72 of these households which enabled them to purchase their first home. We also assisted an additional 21 households with funding to repair the home they already own. Over the years MOI has helped 1,534 households with a person of disability in 68 Wisconsin counties to own their own home or to do repairs to a home they already own.

We continued to grow the rental housing opportunities for low-income households, especially for people with disabilities and veterans. We have houses, duplexes and condominiums for rent, mostly in Madison and Glendale. Through the years, Movin' Out has also co-developed, co-owned, or helped finance 14 large rental apartment developments. Together these offer 960 apartments including 204 marketed specifically to people with disabilities and veterans. Each development is located in Dane, Jefferson, Waukesha, Sauk or Milwaukee County. Two more are under development, one in Madison and one in Platteville.

In 2016 we made great progress on 3 new apartment developments. Together these offer 166 apartments including 42 that are specifically marketed to people with disabilities and veterans. Three opened for business in 2016: Pinney Lane Apartments, in Madison, which we co-developed with Stone House Development, Inc.; Pioneer Ridge Apartments, in Wisconsin Dells, and Monroe Street Apartments, in Waterloo, where we worked with Mirus Partners, Inc.

Maple Grove Commons, in Madison, was under construction in 2016 and opened in early 2017. There are 80 apartments with 20 marketed specifically to people with disabilities and veterans. Oakbrook Corporation is our partner on this development.

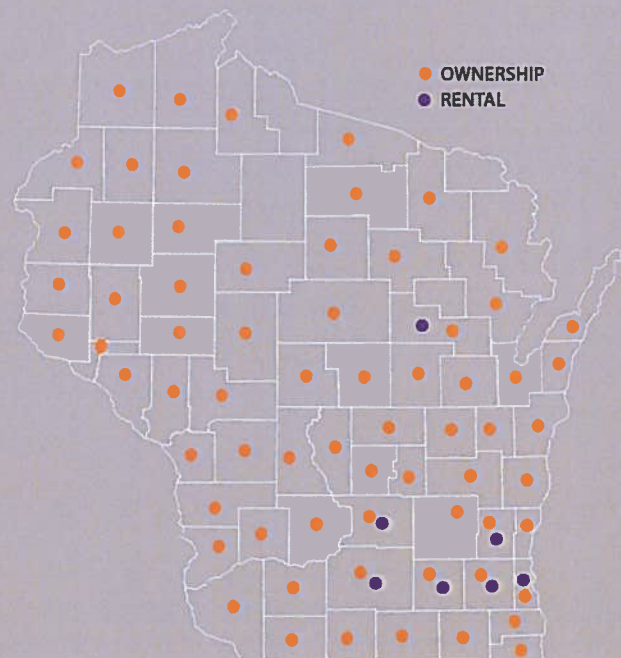
We could not have achieved such progress without financial and other assistance from many of the municipalities and counties in which our developments are located, the Federal Home Loan Bank of Chicago, Wisconsin Housing and Economic Development Authority, Wisconsin Department of Administration and many individual and business donors. Thank you to all of them.

Safe, affordable housing, which is accessible and conveniently located, can be difficult for low-income people with disabilities to find. Movin' Out helps them find it. We help people be independent and realize the dignity that comes with having their own homes. From this foundation people can fuel their commitment to themselves and others, and carry their unique and wonderful gifts out into the world to make the differences they feel are important.

Thank you for helping us do our work.

Valerie Brown  
2016 Board President

Timothy J. Radelet  
Executive Director







902 Royster Oaks Drive  
Suite 105  
Madison, WI 53714-9101

608/251-4446  
608/819-0623 FAX

**movin-out.org**

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Valerie Brown  
*President*  
Jake Johnson  
*Vice President*  
Howard Cagle  
*Treasurer*  
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Sandra Butts  
Edward Erwin  
Jean MacCubbin  
Rhonda McMurry  
Timothy Olp  
Sinikka Santala  
Cheryl Schiltz  
Peter Wilson

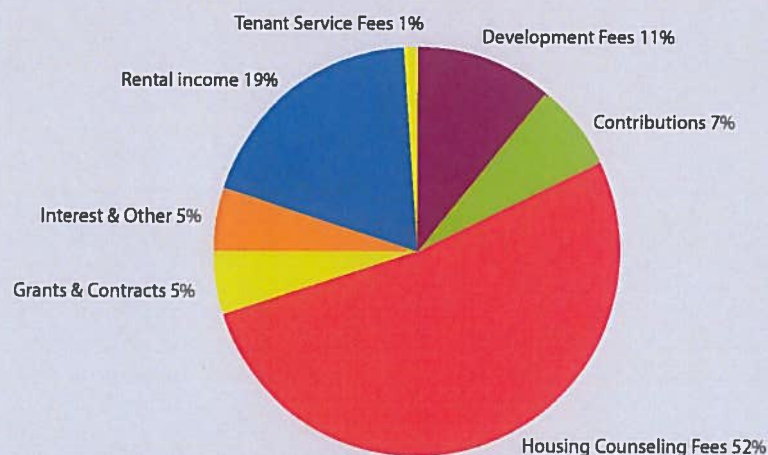
#### 2016 Movin' Out Staff

Tim Radelet  
*Executive Director*  
Amy Wedekind Kallas  
*Associate Director*  
Paula Tiffany  
*Housing Counselor*  
Rebecca Wiese  
*Housing Counselor*  
Sara Hurley  
*Housing Counselor*  
David Porterfield  
*Real Estate Developer*  
Mary E. Myers  
*Asset Manager*  
Penny Starr Weisense  
*Bookkeeper*  
André Brown  
*Administrative Support*

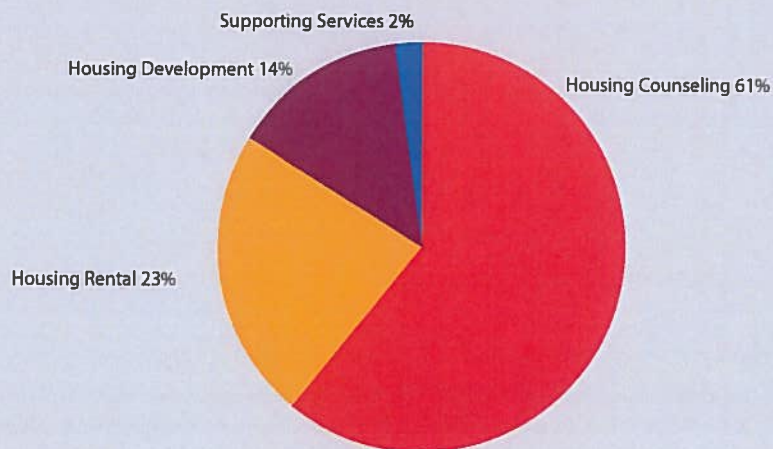
#### Thank You Donors

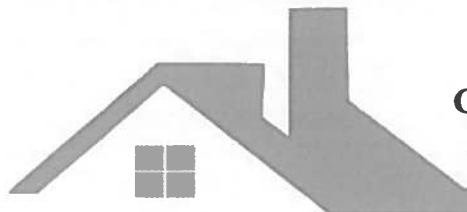
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Waunakee Rotary Foundation  
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Wisconsin Title Closing & Credit Services  
Women's Council of Realtors Madison Metro

#### REVENUE



#### EXPENSES





## HOUSING AUTHORITIES OF THE CITY OF WASHBURN & COUNTY OF BAYFIELD



420 EAST THIRD STREET, WASHBURN, WI. 54891

PHONE: (715) 373-2653 FAX: (715) 373-2610



*This institution is an equal opportunity provider*

### Profile for The HOUSING AUTHORITIES FOR THE CITY OF WASHBURN AND BAYFIELD COUNTY

#### DETAILS

**Contact Person:** Tamara J. Deragon, Executive Director

#### Background

The Housing Authorities for the City of Washburn and Bayfield County provide quality, affordable housing which is decent and safe to eligible low income individuals and families. The two Housing Authorities manage five projects of a combined 182 units with additional Section 8 vouchers to service the county's 15,014 and city's 2,117 residents.

#### Board of Commissioners – City of Washburn:

Karen Guski (Chairperson), Richard Avol, Roy Halverson, Karen Spears Novachek, Thomas Mittelstaedt

#### Board of Commissioners – Bayfield County:

Steve Terry (Chairperson), Rachel Coughtry, John Nedden-Durst, Darrel Pendergrass, vacancy

#### HOUSING AUTHORITY PROGRAMS

##### Washburn 36 (Washburn Housing Redevelopment-HUD LLC)

Manages 36 units of HUD properties. Units are comprised of a 24 unit general occupancy apartment complex and 12 scattered-site single family homes.

##### Section 8 Rental Housing Choice Voucher Program

Assists an average of 60 households with rent/utility subsidies each month and maintain a waiting list of about 50 families.

##### BCHA 48 (Bayfield County Housing Redevelopment-RD LLC)

Manages 48 units of Rural Development properties. Units are comprised of one 6 unit apartment complex for the elderly and disabled, one 18 unit apartment complex for the elderly and disabled, one 12 unit general occupancy apartment complex, and one 12 unit apartment complex for the elderly and disabled.

##### BCHA 90 (Bayfield County Housing Redevelopment-90 LLC)

Manages 90 units of Rural Development properties. Units are comprised of one 8 unit apartment complex for the elderly and disabled, one 10 unit apartment complex for the elderly and disabled, one 8 unit general occupancy apartment complex, one 12 unit general occupancy apartment complex, one 8 unit general

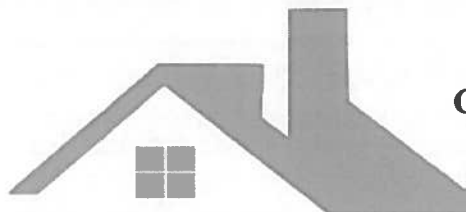
In accordance with the Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410

Fax: (202) 690-7442, or  
Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

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## HOUSING AUTHORITIES OF THE CITY OF WASHBURN & COUNTY OF BAYFIELD



420 EAST THIRD STREET, WASHBURN, WI. 54891

PHONE: (715) 373-2653 FAX: (715) 373-2610



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occupancy duplex project, one 8 unit general occupancy apartment complex, one 20 unit apartment complex for the elderly and disabled, and one 16 unit general occupancy apartment complex.

### **Whispering Pines, Cable (WHEDA Project)**

Manages 8 units of a WHEDA general occupancy apartment complex.

### **WHAT WORKS**

- The Capital Funds Program helps fund important projects to maintain and improve the units to a decent and safe level.
- The Operating Subsidy helps fund administration and utilities upkeep.
- Allowance of small housing authorities to use Capital Funds and Operating Subsidies at the discretion of management allows utilization as needed.

### **CONCERNS**

- Fully funded Capital Funds Program and Operating Subsidies to provide better and continuous improvements of units (roofs, windows, doors, parking lot improvements, etc).
- Fully funded Voucher Program and Administrative Fees.

In accordance with the Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

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Office of the Assistant Secretary for Civil Rights  
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604 Wilson Avenue  
Menomonie, WI 54751

715-235-9081  
800-472-7372  
FAX 715-235-2727  
www.cedarcorp.com

February 13, 2019

Dave Porterfield, Real Estate Developer  
Movin' Out, Inc.  
902 Royster Oaks Drive  
Madison, Wisconsin 53714-9101

Dear Mr. Porterfield:

Cedar Corporation is pleased to be considered for the development team in support of the Washburn project. Cedar Corporation has over 40 years of experience providing integrated services to our clients throughout the State of Wisconsin. Our firm has worked with various municipal and private sector developers and firms on projects of all sizes.

Having prepared the Development Plan for the City Owned Properties, Cedar Corporation is extremely familiar with the site listed in the RFP. We have a strong understanding of the site characteristics, the public and private utilities and the overall site development challenges. Cedar Corporation worked with the Washburn Development Authority to create a vision for the future development of the 10.1 +/- acres. This included developing a number of potential development scenarios including opinions of probable costs for infrastructure investment.

Successful development projects take an experienced team and Cedar Corporation is able to offer the services needed for such a project. You will see by the attached selected services that we have experience in coordinating and assisting both small and large projects through the development process. Additionally, we have a unique and personal understanding of the City of Washburn and the community's desires.

If you have any questions or would like additional information on past projects Cedar Corporation has been involved in, please feel free to me at 800-472-7372.

Sincerely,

CEDAR CORPORATION

A handwritten signature in cursive script that reads "Seth Hudson".

Seth Hudson  
Senior Manager of Economic and  
Community Development Services  
seth.hudson@cedarcorp.com

---

# Company Overview





## PROFESSIONAL SERVICES

**Since 1975**  
**85 Employees**  
**4 Office Locations**  
**Full-Service Design Firm**



- CIVIL/MUNICIPAL ENGINEERING
- SURVEYING/GPS/GIS
- ARCHITECTURE
- WASTEWATER SERVICES
- TRANSPORTATION
- STRUCTURAL ENGINEERING
- WATER RESOURCE SERVICES
- ENVIRONMENTAL SERVICES
- LANDSCAPE ARCHITECTURE
- GRANTS/FUNDING ASSISTANCE
- PLANNING/ECONOMIC DEVELOPMENT

# **Corporate Profile**

## **OVERVIEW**

Our mission, as a full service design and engineering firm, is to provide the highest standards of design excellence and service to our clients. Our goal is to develop a team relationship between our clients and our staff. We possess the technical expertise necessary to meet the demands of our clients on a timely basis and within budget guidelines.

Repeat business with numerous public and private clients attests to our ability to assemble a team concept with our clients working within their guidelines. Confident of this, we respectfully submit this summary of Cedar Corporation for your review.

## **SERVICES**

Cedar Corporation is a professional service firm with disciplines in engineering, architecture, environmental repair, planning, landscape architecture, and land surveying. Founded in 1975, the company has grown in size and stature to its present staff of 85. Our staff is dedicated to the principles on which the firm was developed: professionalism, state-of-the-art technology, and exemplary service to clients. We have continued to grow because of our commitment to comprehensive service and good communication with our clients.

## **STAFF RESOURCES**

Our staff resources include 21 Professional Engineers, 2 Licensed Wastewater Treatment Facility Operators, 2 Licensed Water System Operators, 3 Professional Land Surveyors, 5 Planners, 1 Economic Development Specialist, 2 Registered Architects, 1 Interior Designer, 1 Registered Landscape Architect, 3 Professional Geologists, 3 Environmental Specialists, 1 Hazardous Materials Manager, and a strong support staff of technicians and administrative personnel. All of these individuals take pride in continuing education course work to stay abreast of current developments within their professions. To provide a work setting that meets the challenges of the industry, as well as the skill levels of the employees, the company maintains a state-of-the-art computer network and related technology.

## **LOCATION**

Cedar Corporation's corporate headquarters is located in Menomonie, Wisconsin. To better serve our clients, we have additional offices located in Madison, Green Bay, and Cedarburg, Wisconsin.

## **PHILOSOPHY**

Cedar Corporation undertakes each project with a pledge to our clients that they will receive the best value-per-dollar spent on their projects. We recognize that our clients are most concerned with three major issues as they engage the services of consultants – quality, timeliness, cost.

### **Quality**

Cedar Corporation is committed to providing our clients with the best solutions, satisfying the programmatic parameters. We strive to provide the best service to our clients by promoting excellence within our own firm.

### **Timeliness**

Equal in importance to quality is timeliness. This is critical for the client in making swift and accurate decisions regarding project development. The success or demise of a project is tied directly to the timing of the documents necessary for funding, municipal approvals, and construction. As important as any design issue is scheduling; we have the flexibility to mobilize our resources according to the demands of the project and maintain continuity of its development.

### **Cost**

The project budget is based on the scope of services provided. Cost estimating will verify compliance with the established budgets or, in some cases, point out programmatic or design deficiencies. Through our experience and industry aids, we have an exemplary record of predicting costs of our services and of construction costs—well within industry standards.

The issues of timeliness and cost are interlocked with each one influencing the project as a whole, as well as each other. We recognize this relationship and consider each to be critical to the success of the project while also being the judge of our performance. It is this attention to our clients' concerns that sets Cedar Corporation apart from our peers—we pledge to you our commitment to excellent service.



# **Professional Services**

## **CIVIL/MUNICIPAL ENGINEERING**

- Streets, Roads, and Highways
- Water Supply, Storage, Distribution
- Municipal Engineering
- Site Selection Studies
- Traffic Studies
- Storm Water Management
- Industrial Park Layout
- Flood Control Analysis
- Solid Waste
- Cost Estimating

## **STRUCTURAL ENGINEERING**

- Bridge Design
- Bridge Inspections
- Construction Inspection
- Dam Design and Analysis
- Building Design and Analysis
- Structural Assessments
- Foundation Design and Analysis

## **WASTEWATER SERVICES**

- Facility Planning
- Wastewater Treatment Facility Design
- Construction Services

## **PLANNING/ECONOMIC DEVELOPMENT**

- Municipal Comprehensive Plans
- Block Grants
- Public Facility Grants
- Feasibility Studies
- Relocation Plans
- Redevelopment Planning
- Economic Development Strategies
- Identification of Project Funding
- Public Information Surveys
- Mapping/GIS
- Funding Assistance/Project Proformas
- Impact Fees
- Tax Incremental Finance Districts

## **SURVEYING**

- Plats and Subdivisions
- Property Surveys
- GPS Surveys
- Topographic and Site Surveys
- Aerial Control Surveys
- Re-Monumentation Surveys
- Right-of-Way Plats
- County and Transportation Project Plats (TPP)

## **ARCHITECTURE**

- Industrial, Commercial, Retail Design
- Municipal Buildings
- Libraries
- Educational
- Religious
- Recreation
- Multi-family Residential
- Nursing Homes and Congregate Care
- EMS and Fire Stations
- Fire Protection Systems
- Fire Alarm Design
- Building Envelope/Energy Retrofit
- Heat Recovery Systems
- Energy Management Studies
- Plumbing and HVAC Design
- Adaptive Re-use
- Retrofit Design

## **ENVIRONMENTAL SERVICES**

- Phase I and Phase II Site Assessments
- Environmental Investigations
- Asbestos and Lead Assessment and Monitoring
- Soil and Groundwater Remediation Design
- Monitoring - Air, Water, Noise, Particulate
- Hazardous Building Materials Assessments and Abatement Oversight
- Building Deconstruction Planning and Oversight
- Spill Prevention Control and Countermeasure Planning

## **LANDSCAPE ARCHITECTURE**

- Site Design
- Park/Recreation Planning and Design
- Urban Streetscapes
- Planting Design
- Hydraulic Analysis
- Erosion Control Design

## **WATER RESOURCE SERVICES**

- Analytical Modeling
- Water Quantity, Quality
- Wetland Delineation, Mitigation and Monitoring
- Storm Water Erosion Control
- Shoreline Restoration
- Storm Water: Best Management Practices
- Storm Water Pollution Prevention Planning

## What Sets Us Apart



***Our goal is to become "like staff."*** We are available to answer questions and provide information. Just call. We don't charge extra for this service.

***We attend council/board/committee meetings at no cost.*** We provide answers about on-going projects, input on potential projects, assistance with project funding issues, and insight into what other area communities have done regarding certain issues.



***We prepare ballpark cost estimates and preliminary layouts at no charge.*** Communities have numerous needs, but few dollars. Potential projects need to be analyzed for feasibility and cost-effectiveness.

***We provide funding assistance at an extremely reduced fee.*** We let you know if a funding program fits your community. We will analyze at no cost and, if you decide to proceed, we will write-down the cost of preparing the application.



***We take care of all the details during a project at no extra cost.*** We prepare (and submit to the newspaper if required for publication) bid ads, special assessment reports, easements, resolutions, and hearing notices.

***We are a full service firm.*** We provide municipal engineering, planning and economic development, structural engineering, environmental, landscape architecture, land surveying, and architecture services.



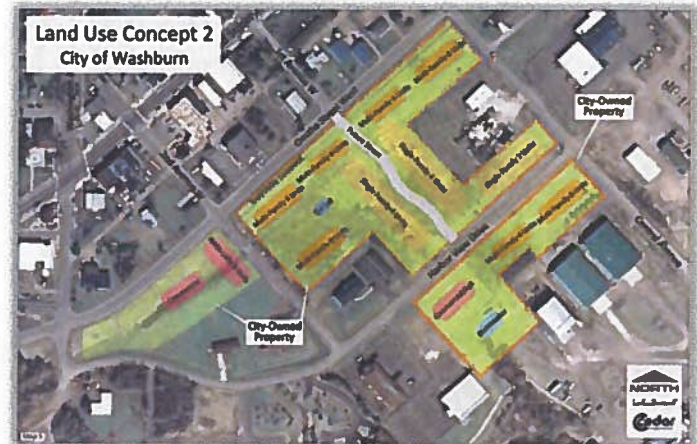
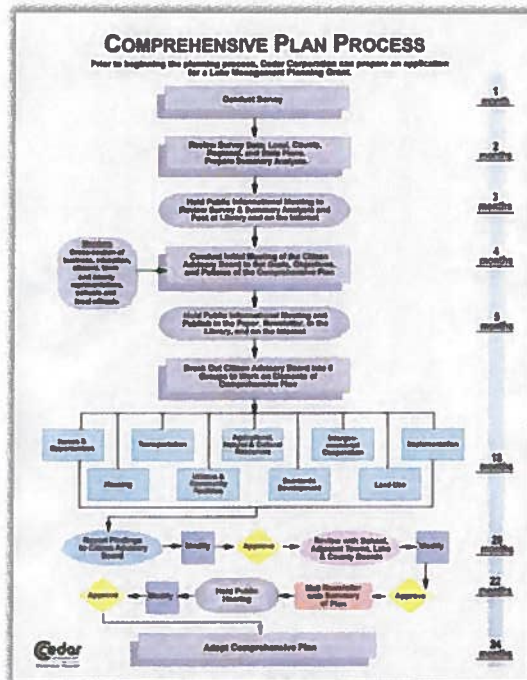
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# Services



## Planning / Grants / Economic Development

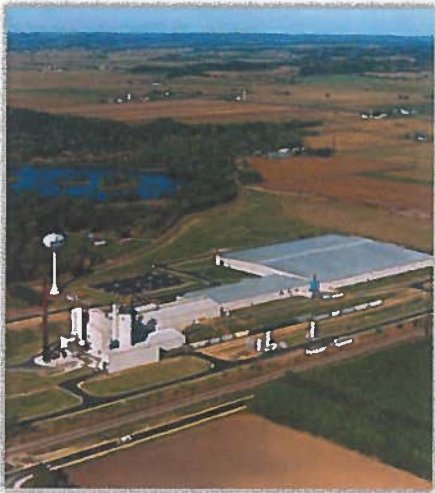
- Community Development
- Comprehensive Plans
- CDBG/DNR/Rural Development Grants and Loans
- Development Master Plans/Site Plans
- TIF Districts
- Feasibility Studies
- Relocation Plans
- Redevelopment Planning
- Public Information Surveys
- Financial Planning
- Impact Fees
- CDBG Housing Program Administration





## Civil / Municipal Engineering

- Municipal Engineering
- Streets, Roads, and Highways
- Water Supply, Storage, Distribution
- Storm Water Management
- Site Selection Studies
- Traffic Studies
- Mapping/GIS
- Site and Land Development
- Development Master Plans/Site Plans
- Industrial Park Layout
- Flood Control Analysis
- Solid Waste
- Cost Estimating





## Architecture

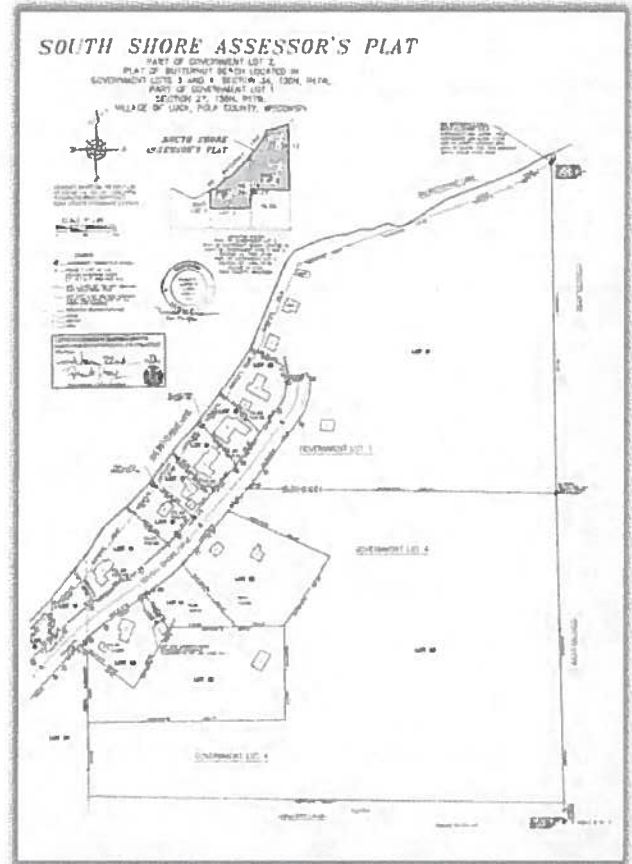
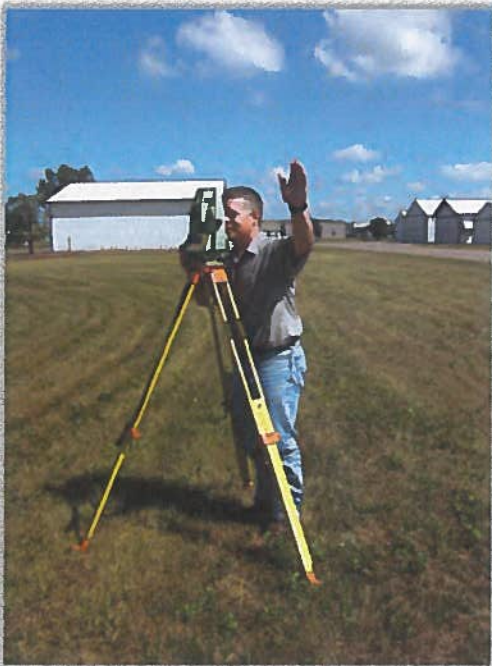
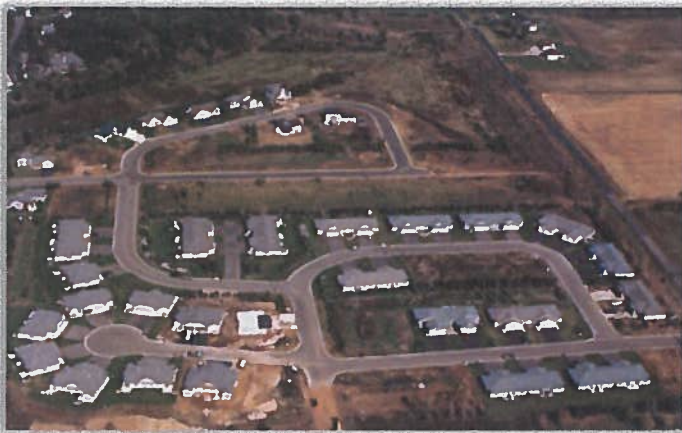
- Professional Office
- Retail
- Hospitality
- Industrial
- Governmental Buildings
- Libraries
- K-12 Education Buildings
- Higher Education
- Spiritual Buildings
- Recreational Buildings
- Single and Multi-family Residential
- Medical Facilities
- Nursing Homes and Congregate Care
- Energy Management Studies
- Building Envelope/Energy Retrofit
- Fire Protection Systems
- Fire Alarm Design
- Heat Recovery Systems
- Plumbing and HVAC Design
- Adaptive Re-use
- Interior Design





## Surveying / GPS / GIS

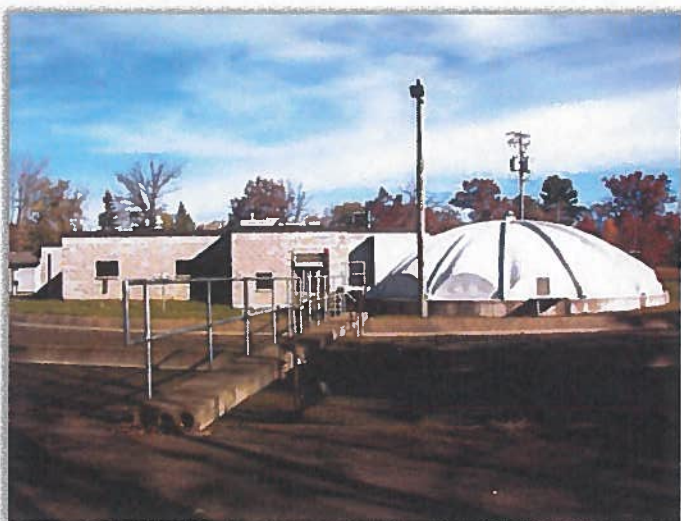
- Plats and Subdivision
- Property Surveys
- GPS Surveys
- Topographic and Site Surveys
- Aerial Control Surveys
- Remonumentation Surveys
- Right-of-Way Plats
- County and Transportation Project Plats (TPP)





## Wastewater Services

- Facility Planning
- Facility Design
- Facility Upgrades
- Feasibility Studies
- Lift Station Design
- Phosphorus Compliance
- Construction Management
- Collection System Design
- Funding (CWF, CDBG, RD)
- Capital Improvement Planning
- Asset Management Planning
- Rate Analysis
- User Charge System

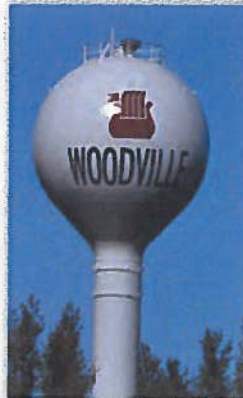




## Water Supply and Distribution

- Water System Master Planning
- Water Studies
- Water Treatment Facilities
- Distribution Systems
- Booster Stations
- Distribution System Modeling
- Elevated Storage and Ground Reservoirs
- Well Site Investigations
- Wellhead Protection Plans
- Well Design
- Fire Flow Testing
- Construction Management
- Rate Analysis
- Capital Improvement Planning

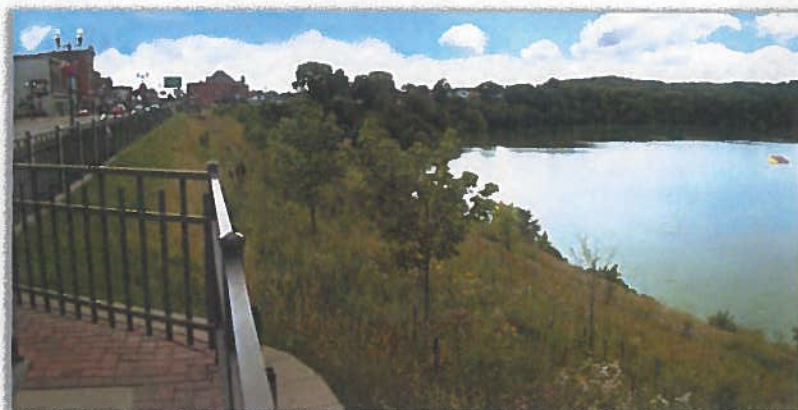
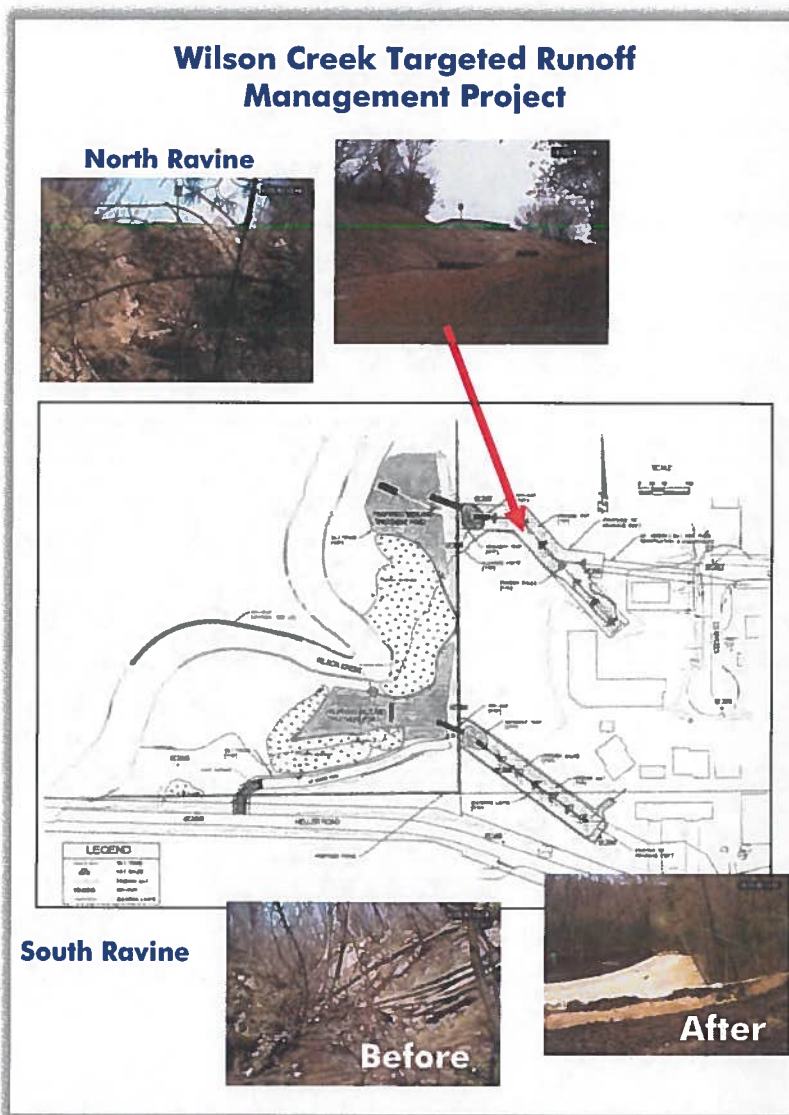
## WATER SUPPLY AND DISTRIBUTION





## Storm Water Resources

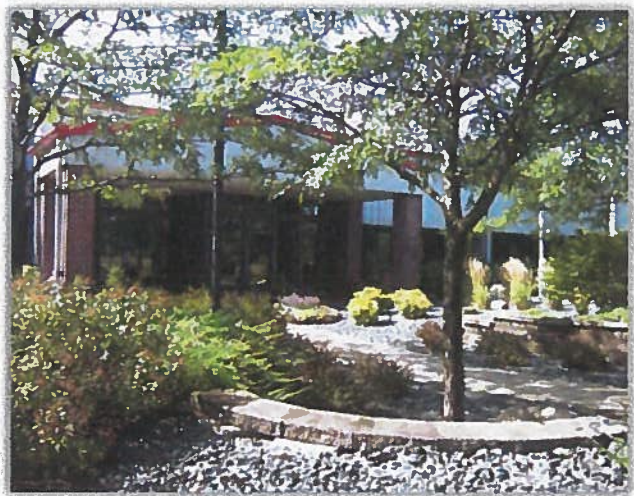
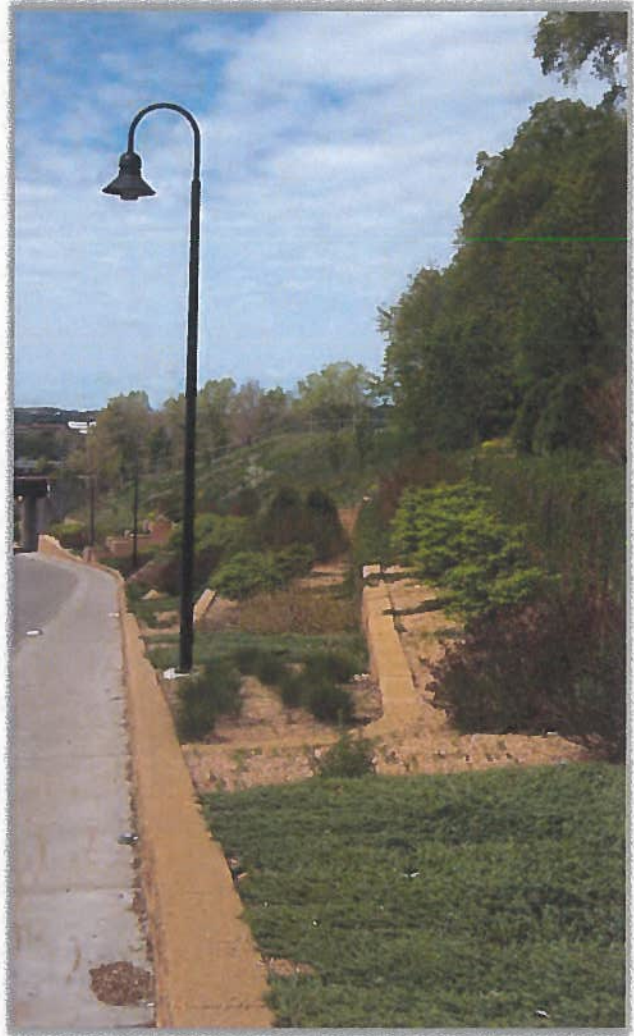
- Lake and Watershed Planning
- Analytical Modeling
  - Water Quality
  - Hydrologic and Hydraulic
  - Ground Water
- Lakes
- GIS
- Wetland Restoration
- Erosion Control
- Shoreline Restoration





## Landscape Architecture

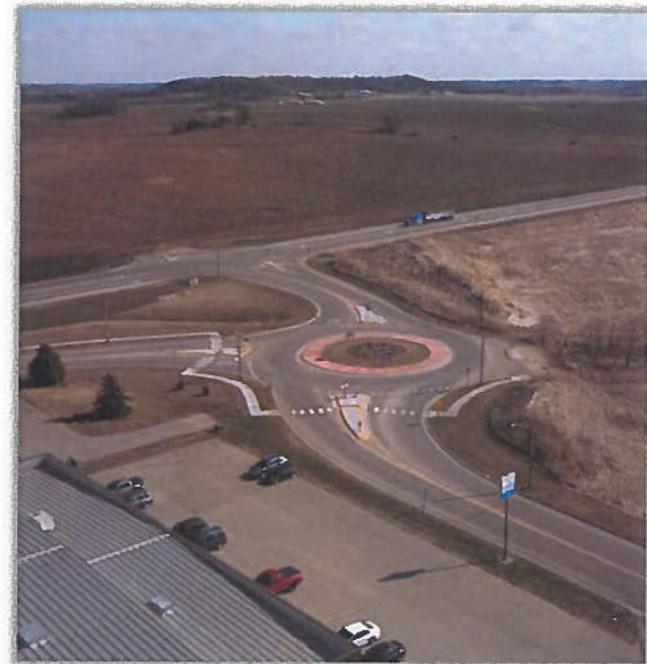
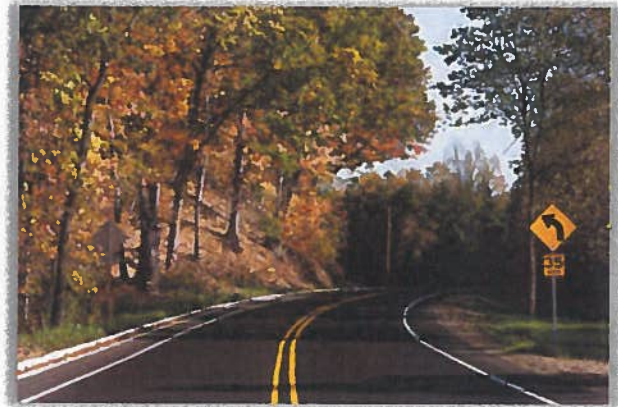
- Site Design
- Park/Recreation Planning and Design
- Urban Streetscapes
- Planting Design
- Erosion Control Design





## Transportation

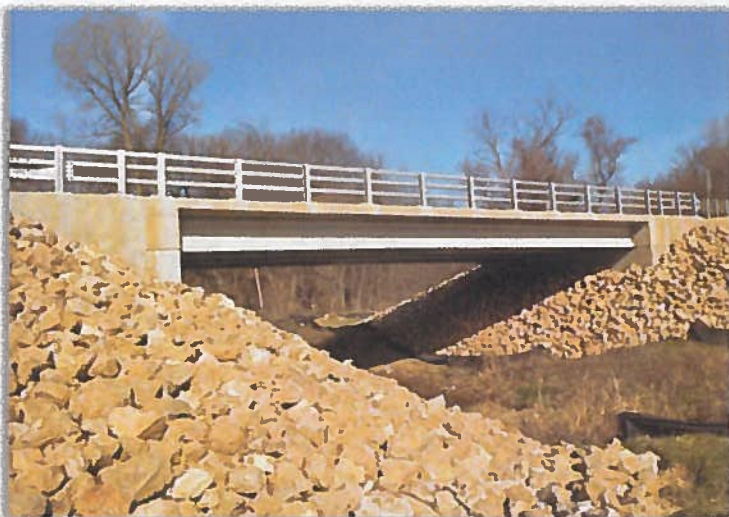
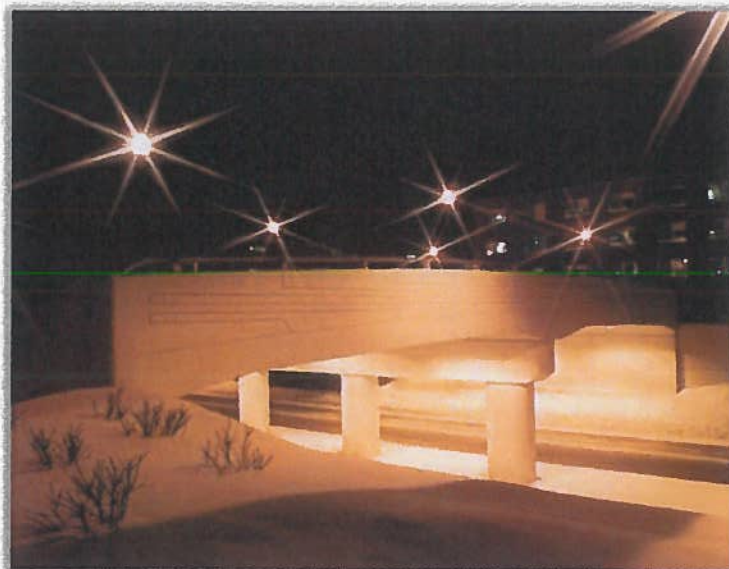
- Highway Design
- Intersection Design
- Roundabout Design
- Traffic Studies and Signal Design
- Street Lighting Design
- Feasibility Studies
- Construction Inspection
- Planning and Public Involvement
- Agency and Utility Coordination
- Design Study Reports and Environmental Documents





## Structural Engineering

- Bridge Design
- Bridge Inspections
- Construction Inspection
- Dam Design and Analysis
- Building Design and Analysis
- Hydraulic Design
- Structural Assessments
- Foundation Design and Analysis
- Forensic Engineering





## Environmental Services

- Site Assessments
- Environmental Investigations
- Farm Chemical Investigations
- Asbestos Assessment and Monitoring
- Petroleum Product Storage Tank Design
- Remediation Design
- Ground Water Monitoring
- Lead Assessment and Monitoring
- Wetland Assessment, Mitigation and Monitoring
- Ground Water and Soil Remediation



ENVIRONMENTAL SERVICES





## Construction Services

- Surveying/Staking
- On-Site Observation/Inspection
- Construction Administration
- Shop Drawing Review
- Conflict Resolution
- Plan and Specification Compliance
- Contractor Pay Request Coordination
- Testing of Utility Pipelines
- Project Meetings/Schedules
- Measurement of Completed Work
- Regulatory Permit Compliance
- As-Built Drawings Preparation
- Document Changed Conditions
- Project Closeout



CONSTRUCTION SERVICES





**Seth Hudson, EDFP**

*Senior Manager of Economic and  
Community Development Services*

#### **Education**

BA in Economics and Political  
Science: University of Southern  
Maine (1996)

#### **Professional Certifications**

Certified Economic Development  
Finance Professional (EDFP), National  
Development Council, 2003,

Graduate of Economic  
Development Institute (EDI), Certified  
Economic Developer Program, 2001

#### **Professional Affiliations**

International Economic  
Development Council (IEDC)  
International Council of Shopping  
Centers (ICSC)  
Wisconsin Economic Development  
Association (WEDA)  
Momentum West  
New North  
Ignite Wisconsin

#### **Total Experience**

Since 1997

**Seth Hudson** has worked in the field of economic development, redevelopment and real estate development for many years. He has facilitated the expansion, and attraction of hundreds of firms through the site identification, entitlement, and incentive processes. This work has occurred in both rural and urban settings. Seth has also worked on numerous economic development strategies at the city and regional levels.

Most recently, he worked for the Wisconsin Economic Development Corporation covering 17 counties out of Eau Claire. In this position, he worked in coordination with the region's economic development organizations to facilitate the expansion, retention and relocation of business throughout Northwest Wisconsin. He also worked to strengthen the region's economic development organizations value propositions. Prior to moving to Wisconsin, Seth worked as the Pacific Division Development Manager for Western Solutions, where he bought and redeveloped contaminated sites along the west coast out of Portland, Oregon. His prior experience includes; Sr. Economic Development Manager for the Portland (OR) Development Commission, Executive Director of the Napa Valley Economic Development Commission, Senior Development Specialist for the City of San Leandro CA, and Environmental Business Development Manager at the Arizona Department of Commerce.

#### **Areas of Expertise Include:**

- Real Estate Development
- Economic Development Strategic Planning
- Tax Increment Financing
- Business Retention and Expansion Program Development
- Site Feasibility Studies
- Real Estate Transactional Pro forma Development
- Property Negotiations and Deal Structuring
- Incentive Identification and Financial Packaging
- Public/Private Partnerships
- Development Agreement Negotiations
- Brownfield Redevelopment
- Administrative Land Use Review/Approval
- Project Management
- Consensus Building
- Grant Writing & Administration
- Stakeholder Community Relations

#### **Committees:**

- Board member and past chair of Momentum West, The West Central Regional Economic Development Corporation
- Board member of Wisconsin Economic Development Association
- Board Chair of Ignite Wisconsin, State Wide 501 (c)6 Economic Development Organization

#### **Recent Project Experiences Include:**

- Imark Molding Expansion, Woodville WI
- UNFI Attraction Project, Prescott WI
- Downtown Hotel CDI Grant, Menomonie WI
- Diversified Manufacturing Corporation, Prescott WI
- Bayfield County Business Park Development plan, Bayfield WI
- Pierce County EDC Economic Development Strategy, Pierce County WI
- Community Visioning/Facilitation, Clayton WI
- Washburn Housing Development Strategy, Washburn WI
- Hayseed Exchange CDI Grant, Hilbert WI



**Dedication, Quality, Success**





**Cory A. Scheidler, AIA, RID**

*Director of Architecture*

**Education**

Associate Degree in Civil  
Engineering Technology: Mid-State  
Technical College (2001)

**Professional Registrations**

Wisconsin Registered Architect  
#10782  
Wisconsin Certified Commercial  
Building Inspector #992581  
Wisconsin Registered Interior  
Designer #623

**Professional Affiliations**

American Institutes of Architects  
Civil Engineering /  
Structural Technician  
Advisory Committee  
Chippewa Valley Technical  
College  
NCARB IDP

**Total Experience**

Since 2000

**Cory Scheidler** is the Director of Architectural Services and Building Design for Cedar Corporation and provides supervision of Professional architects, engineers and technical staff in the design and construction of architectural and structural projects. With extensive experience in Government Facility & Commercial Development planning and design, Cory provides leadership of governmental and commercial development projects for a wide range of clients. Cory is actively involved in the American Institute of Architects as a local chapter treasurer and actively participates in his community. Cory's personal involvement, genuine concern and attention to detail in the development of projects is recognized by our clients.

**Areas of Expertise Include:**

- Supervision of design and preparation of plans for new structures and alteration of existing buildings for municipal, institutional, commercial, and industrial projects, both traditional bid and design/build approaches
- Preparation of facility, space needs, and site analysis studies for municipal buildings
- Code review, schematic design and design development
- Project cost estimating, project scheduling
- Coordination with design disciplines
- Construction contract preparation and contract administration
- Client contact throughout project feasibility, design, bidding and contract administration
- Specialization in project delivery, working directly with Developers, Contractors, Owners and alternative

**Recent Project Experiences Include:**

- Public Works Facility Assessment, Town of Buchanan, WI
- Public Works Facility Assessment, Village of Jackson, WI
- Public Works Building design, Amery, WI
- Building analysis, needs assessment, municipal building remodel and contract administration, Blair, WI
- Highway Facilities Study, Burnett County, WI
- Municipal Facilities & Public Works Facility Study, Village of Cadott, WI
- City Hall assessment, Glenwood City, WI
- Government Center Assessment, Pepin County, WI
- Highway Facilities Needs Assessment, Polk County, WI
- Public Works Facility, Prescott, WI
- Public Works Facility Study, Somerset, WI
- Highway Department Facility Assessment, St. Croix County, WI
- Municipal Building, Osseo, WI
- Municipal Building renovation, City of Prescott, WI
- Municipal Building Design & Grant Administration, Pepin, WI
- Public Library, Village of Marathon City, WI
- Existing library assessment and new library and museum, Luck, WI
- Municipal building/Library, Village of Clear Lake, WI
- Municipal Building and EMS, Village of Colfax, WI
- Fire Department and EMS Planning and Design, Ellsworth, WI
- Municipal Building, Fire and Police Departments, Lake Hallie, WI
- Town Hall and Fire Department Planning, Oak Grove
- Municipal Building, Fire, EMS, and Police, Woodville, WI



**Dedication, Quality, Success**



Patrick Beilfuss, AICP

*Senior Planner*

**Education**

BA in Human Geography: University of Minnesota (1995)  
Associate Degree in Geographic Information Systems: Chippewa Valley Technical College (2000)  
EFL Certificate: Hamline University (1996)

**Professional Affiliations**

American Institute of Certified Planners (AICP)  
American Planning Association  
Wisconsin Land Information Association

**Certifications**

Certified Planner

**Total Experience**

Since 2000

**Patrick Beilfuss** has many years of experience as a Planner for various municipal clients. Patrick has extensive experience collaborating with communities on comprehensive plans, comprehensive outdoor recreation plans, safe routes to school plans, bicycle and pedestrian plans, along with other types of sustainable community design.

**Areas of Expertise Include:**

- Comprehensive Planning
- Land Use Planning
- Pedestrian and Bicycle Route Planning
- Safe Routes to School Planning
- Comprehensive Outdoor Recreation Planning
- Coordinate, conduct, and present at City Council, Village Board, Town Board, Plan Commission, and various committee meetings
- Zoning Ordinances
- Downtown and Waterfront Re-development Planning
- Feasibility Studies
- Preparation of project related grants, including Community Development Block Grants, WDNR Stewardship Grants, and storm water grants
- Project manager for grant administration

**Project Highlights:**

- Village of Hilbert Community and Economic Development Plan
- City of De Pere Comprehensive Outdoor Recreation Plan Update
- Village of Bellevue Comprehensive Plan Update
- Village of Bellevue Comprehensive Plan
- Bayfield County Industrial Park Development Analysis
- City of Washburn Development Plan for city-owned property
- Village of Cadott Community Facilities Feasibility Study
- City of Menomonie Comprehensive Plan
- City of Menomonie Safe Routes to School Plan
- City of Menomonie Parks and Recreation Plan
- City of Menomonie Bicycle and Pedestrian Plan
- Village of Somerset Comprehensive Plan
- Village of Colfax Comprehensive Plan
- City of Durand Waterfront Redevelopment Plan
- Village of Somerset Riverfront Redevelopment Plan
- Village of Somerset Outdoor Recreation Plan
- City of Prescott Comprehensive Plan

**Committees:**

- Advisor and meeting facilitation for the City of Menomonie Bicycle and Pedestrian Advisory Committee
- Advisor and meeting facilitation for the City of Menomonie Wayfinding Signage Committee



**Dedication, Quality, Success**



Kevin Oium, P.E.  
*Senior Project Manager*

**Education**

BS in Civil Engineering: University of Wisconsin-Platteville (1994)

**Professional Registrations**

Professional Engineer - WI

**Professional Affiliations**

American Society of Civil Engineers  
Wisconsin Rural Water Association

**Total Experience**

Since 1992

**Kevin Oium** is part of the Cedar Corporation Civil team and offers experience as a Project Manager/Team Leader for numerous municipal, transportation and private development projects in the surrounding area.

**Areas of Expertise Include:**

- Design, construction staking and inspection of public works, municipal, transportation and private development projects for streets, roads, curb and gutter, parking lots, water distribution systems, sanitary sewer, storm water management, and storm sewer projects
- Private onsite wastewater treatment facility and low pressure sewer system design
- Design and construction inspection of wastewater lift stations
- Design upgrades to municipal water well houses
- Preparation of assessment reports, capital improvement plans, feasibility studies, and cost benefit analysis
- Hydrologic, hydraulic and water quality storm water computer modeling and analysis
- Review of developer prepared construction plans, specifications, and computer modeling analysis for new residential and commercial developments acting on behalf of the community as City/Village Engineer
- Attendance at numerous Village Board, City Council, Town Board, and various committee meetings
- Preparation of needed governing agency permits for municipal and private development projects. Examples include WIDNR Chapter 30, WIDNR Water Quality Certification, WIDNR Notice of Intent and Post-Construction Storm Water Management and WIDNR Watermain and Sanitary Sewer Extensions
- WisDOT/Federal Highway Environmental Documentation
- Downtown and waterfront re-development
- Funding assistance through the Community Development Block Grant program, clean water fund, and safe drinking water loan program
- PASER rating updates of municipal streets

**Representative Project Experiences Include:**

- Municipal Engineer for the City of Cornell, Village of Woodville, Village of North Hudson, City of Glenwood City, Village of Clear Lake, Village of Milltown, Village of Knapp, and Town of Menomonie
- Village of Woodville - Project Manager for 2018 street and utility improvements project that included street, storm sewer, water main, sanitary sewer, sidewalk, curb and gutter, decorative lighting and bridge railings, colored and stamped concrete, and pedestrian crossings
- Village of Milltown - Project Manager for 2018 cured-in-place-pipe (CIPP) of approximately 3,000 linear feet of sanitary sewer main and 2,400 linear feet of sewer laterals
- City of Glenwood City - Project Manager for 2017 construction of new well #4, project included well, well house, SCADA, backup generator, utility connections, and site improvements
- Village of Lake Hallie - Project Manager for a private onsite wastewater treatment facility and low pressure sewer system within the Midway Mile Commercial Development
- City of Cornell - Project Manager for the 2018 street and utility improvements project that included street, storm sewer, water main, sanitary sewer, sidewalk, and curb & gutter
- Town of Menomonie - Project Manager for Phase I & II 390th Street (Rudiger Road), 2.1 mile town road reconstruction improvement project
- City of Menomonie - Project Manager for the I-94 lift station rehabilitation project
- Village of Woodville - Project Manager for the water tower coating rehabilitation project
- Village of North Hudson - Project Manager for the 2015 street and utility improvements project



**Dedication, Quality, Success**





### Completed Projects

#### ELVEN STED STOUGHTON, WISCONSIN



#### **Project Description**

Elven Sted (River Place in Norwegian) is a 33-unit multifamily rental development located four blocks from downtown Stoughton, Wisconsin developed by Movin' Out as part of the City's downtown redevelopment plan. Movin' Out worked with the City to plan and develop the project with local, state and federal financing support (see budget below). The project is *Wisconsin Green Built Certified* which requires meeting a high level of green building and energy efficiency standards. Elven Sted, completed in September 2011, was fully occupied the day it opened and remains so today. The project is a combination of 1, 2 and 3 bedroom apartments. Eleven of the units are marketed to households that include a family member with a permanent disability and the balance of the units are occupied by other working families in the community.

Project Website: <http://www.movin-out.org/ElvenSted.html>

## Project Financing and Rents

Elven Sted is financed with a combination of public and private funding sources listed below:

### Elven Sted Sources of Funds

First Mortgage	\$640,000
Tax Credit Equity	\$5,550,000
Tax Incremental Financing	\$428,000
Discount on Sale of Land by City	\$164,000
Federal HOME Funds	\$372,000
State of Wisconsin Brownfield Grant	\$190,000

**Total** **\$7,344,000**

### Elven Sted Rents

# BDRMS.	RENT RANGES
1	\$420 -\$580
2	\$505 - \$850
3	\$900 - \$950

### Reference:

Rodney Scheel  
Director of Planning and Development  
381 East Main Street  
Stoughton, Wisconsin, 53589  
608-873-6677  
[rjscheel@ci.stoughton.wi.us](mailto:rjscheel@ci.stoughton.wi.us)





## PIONEER RIDGE APARTMENTS WISCONSIN DELLS, WISCONSIN



### Project Description

Pioneer Ridge Apartments is located in Wisconsin Dells, Wisconsin. It is a 72-unit multifamily rental project which includes a combination of 1, 2, and 3 bedroom units. Movin' Out co-developed the project with Mirus Partners of Middleton, Wisconsin, and it was supported and financed with a combination of local, state, and federal sources of funds. The project is *Wisconsin Green Built Certified*, which requires meeting a high level of green building and energy efficiency standards. Pioneer Ridge Apartments was completed in December 2016. Eleven of the units are marketed to households that include a family member with a permanent disability and/or a military veteran, and the balance of the units are occupied by other working families in the community.

Project Website: <https://www.pioneerridgewidells.com/>

## **Project Financing and Rents**

### **Pioneer Ridge Apartments Sources of Funds**

First Mortgage	\$2,675,000
Tax Credit Equity	\$7,234,277
Tax Incremental Financing	\$715,000
WHEDA Second Mortgage	\$560,000
State HOME funds	\$500,000
Federal Home Loan Bank of Chicago AHP Grant	\$675,000
Deferred Developer Fee	\$21,436
<b>Total</b>	<b>\$13,055,713</b>

### **Pioneer Ridge Apartments Rents:**

# BDRMS.	RENT RANGES
1	\$300 - \$738
2	\$418 - \$999
3	\$675 - \$843

### **Reference:**

Edward Wojnicz  
Mayor  
City of Wisconsin Dells  
office: 608.254.2012  
ewojnicz@dellscitygov.com



## MONROE STREET APARTMENTS WATERLOO WISCONSIN



### Project Description

The Monroe Street Apartments located in downtown Waterloo, Wisconsin. It is a 24 unit multifamily rental project which includes a combination of 2 and 3 bedroom units. Movin' Out co-developed the project with Mirus Partners of Middleton, Wisconsin, as part of a larger downtown redevelopment project which was supported and financed with a combination of local, state and federal sources of funds. The project is *Wisconsin Green Built Certified*, which requires meeting a high level of green building and energy efficiency standards. Monroe Street Apartments was completed in December 2015. Six of the units are marketed to households that include a family member with a permanent disability and/or a military veteran, and the balance of the units are occupied by other working families in the community.

Project Website: <http://www.accmanagementgroup.com/rental/overview.php?propertyID=168>

## **Project Financing and Rents:**

### **Monroe Street Apartments Sources of Funds**

First Mortgage	\$495,000
Tax Credit Equity	\$2,580,000
Tax Incremental Financing	\$150,000
Discount on Sale of Land by City	\$120,000
Federal HOME funds	\$340,000
Federal Home Loan Bank of Chicago AHP Grant	\$228,000
Wisconsin Economic Development Corporation (WEDC) Grant	\$40,000
<b>Total</b>	<b>\$3,953,000</b>

### **Monroe Street Apartments Rents:**

# BDRMS.	RENT RANGES
2	\$421 - \$875
3	\$760 - \$865

## **Reference:**

Mo Hansen  
Clerk/Treasurer  
City of Waterloo  
office: 920.478.3025  
[CityHall@Waterloowi.us](mailto:CityHall@Waterloowi.us)



## PINNEY LANE APARTMENTS MADISON, WISCONSIN



### Project Description

Pinney Lane Apartments is a joint venture between Movin' Out and Stone House Development. It is a 70 unit multifamily mixed-use rental apartment building located on the East side of the City of Madison, Wisconsin. The project consists of 1, 2, and 3 bedroom apartments, underground parking, community and common space and 3,000 square feet of commercial office space that is occupied by Movin' Out as its corporate headquarters. This project is part of a 28 acre redevelopment effort on former industrial land. The balance of the 28 acre development site is being carried out by other development entities however the site was master planned and platted by the City. The larger project will include a new public library, senior housing and 50 single family homes. Pinney Lane was completed in March 2016 and is fully leased. The project is *Wisconsin Green Built Certified*, which requires meeting a high level of green building and energy efficiency standards. Eighteen of the units are marketed to households that include a family member with a permanent disability and/or a military veteran and the balance of the units are occupied by other working families in the community.

Project Website: <http://www.pinneylane.com>

## **Project Financing and Rents:**

### **Pinney Lane Apartments Sources of Funds**

First Mortgage	\$3,000,000
Tax Credit Equity	\$7,018,000
Tax Incremental Financing	\$400,000
Federal HOME funds	\$395,000
Federal Home Loan Bank of Chicago AHP Grant	\$420,000
City of Madison Affordable Housing Fund	\$265,000
<b>Total</b>	<b>\$11,498,000</b>

### **Pinney Lane Rents:**

# BDRMS.	Rent Ranges
1	\$395 - \$980
2	\$480 - \$1,225
3	\$1,000 - \$1,085

## **Reference:**

Natalie Erdman  
Director of Planning, Community and Economic Development  
City of Madison  
Office 266-4635  
[NErdman@cityofmadison.com](mailto:NErdman@cityofmadison.com)



the economy of Washburn. Consequently, develop a plan to Identify, protect, and enhance these resources.

Policy 3.2.b: Seek to preserve significant natural, cultural, and agricultural resources in Washburn by promoting infill development and redevelopment on suitable land in the existing urban service area.

Policy 3.2.c: Allow limited, planned development outside the urban service area consistent with the City Ordinances. Encourage cluster development, conservation design, or other techniques that minimize adverse impacts on significant natural, cultural, and agricultural resources.

Objective 3.3: Use land in a manner that meets human needs fairly and efficiently.

Policy 3.3.a: Ensure public involvement in all significant land use decisions. Relate land use decisions to the needs and desires of the community.

Policy 3.3.b: Ensure that the City has adequate and appropriate land to meet the City's housing needs, including affordable and temporary housing.

Policy 3.3.c: Balance the need to guide land for private development with the community's social and cultural needs for public open space, parks, community facilities, and other uses that are important for maintaining and enhancing a high quality of life in Washburn.

Policy 3.3.d: Promote compatible land use that does not negatively affect adjacent land uses.

## 6. LAND USE PLAN

This section summarizes and expands on the concepts and actions discussed in the inventory and analysis section, and the goals, objectives, and policies section of this chapter. This Land Use Plan strongly promotes development and redevelopment in all areas of the city to accommodate the City's goal to increase its population to roughly 2,500 people by the year of 2027. The City may consider logical and reasonable extension of public sanitary sewer into any area if the City finds it is in the best interest of the community. Higher density developments not on City utilities will be required to connect to water and sewer utilities.

### OVERVIEW OF FUTURE LAND USES

The following provides an overview of the future land uses designated on the Land Use Plan (see Figure 3-2: Land Use Plan).

**Rural Residential / Agriculture** The rural residential / agriculture land use designation guides land for single-family residential use and limited agricultural use in the rural areas of the city not served by public sanitary sewer. To help preserve natural resources, rural character, and agricultural production (including grazing and forestry), rural residential / agriculture parcels will have an area of at least four acres. However, most existing parcels in this area are at least ten acres, which is more consistent with rural residential and agriculture uses. This land use designation provides an area for residents that wish to live in a rural, natural setting within the city limits of Washburn. It also provides an area for future growth that the City may not reasonably be able to accommodate within the existing urban areas of the community.

~~Consequently, the City may consider logical and reasonable extension of public sanitary sewer into this area if the City finds it is in the best interest of the community.~~



Rural Residential / Agriculture Land Adjacent to County Highway C (SWB, Inc.)



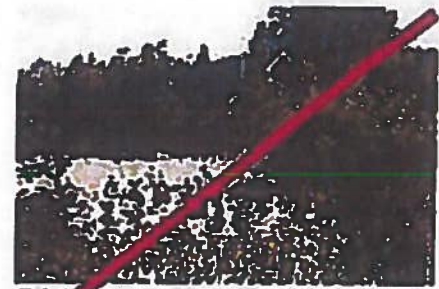
**Rural Waterfront Recreational Residential** The Land Use Plan guides land in the northeast corner of the city for rural waterfront recreational residential land use. This land use designation accommodates rural, single-family residences and limited resort or tourist lodging that is consistent with the natural, waterfront setting of this area. Parcels will have an area of at least 1.5 acres to accommodate onsite sanitary sewer and to help maintain the natural character of the area. In 2006, this area included single-family residences and a resort with individual cabins set sensitively into their natural surroundings.

**Low-Density Waterfront Residential** The low-density waterfront residential designation guides land on or near the waterfront for suburban or low-density single-family residences, twinhomes, and townhomes at a density not to exceed five dwelling units per acre. Parcels in this area that are not served by public sanitary sewer, will have an area of at least 1.5 acres to accommodate onsite sanitary sewer. Development in this area will be consistent with the goals, objectives, and policies of the City's Waterfront Plan (see Chapter 4: Waterfront and Coastal Resources for additional information).

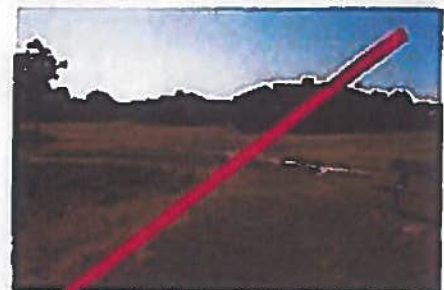
**Low Density Residential** The Land Use Plan guides most of the residential land in the City for low-density residential use. Most of this area is served by public sanitary sewer and can accommodate single-family residences, twinhomes, and townhomes at a density not to exceed five dwelling units per acre. Some land guided for low-density residential use may not be served by public sanitary sewer and will have parcels of at least 1.5 acres to accommodate onsite sanitary sewer until the area can be served by public sanitary sewer. Other acceptable uses in this area include religious institutions, parks, schools, and other public or semi-public uses that can be sensitively integrated into residential neighborhoods. The low density residential land use category includes those areas of the City where single-family residences are the predominate land use, along with compatible uses including parks, worship facilities, schools, nursing homes, and other similar public or semi-public uses that can be sensitively integrated into residential neighborhoods. Most new development in this area will be served by public sanitary sewer. Those uses not on public sanitary sewer will be at least 1.5 acres.

**Moderate Density Residential** Existing apartments, senior housing, and other residential uses in Washburn have a density of roughly six to ten dwelling units per acre. The Land Use Plan continues to guide these existing developments for moderate-density residential use. The Plan also guides undeveloped, publicly owned land north of West Woodland Drive and east of North 5th Avenue West for moderate-density residential use (see Chapter 7: Housing, for additional information). Several of the mixed-use designations described below also allow development of moderate-density residential uses. The moderate density residential land use category includes a variety of housing types including single-family residences, duplexes and twin homes, and multi-family housing. Other compatible land uses include parks, worship facilities, schools, nursing homes, and other similar public or semi-public uses that can be sensitively integrated into residential neighborhoods.

**Waterfront Residential** The waterfront residential land use designation is found exclusively along Lake Superior. Given the proximity of this district to the lake, it is



Existing Single-Family Residence in the Rural Waterfront Recreational Residential Area (SWB, Inc.)



Existing Low-Density Waterfront Residential near the Marina (SWB, Inc.)



Existing Low Density Urban Residential (SWB, Inc.)



Existing Moderate Density Housing (SWB, Inc.)



especially important that the City protect shoreline vegetation within 35 feet of the lakefront. Land uses in this area will consist of resorts, single-family homes, duplexes and twin homes, and multi-family projects. Because public sanitary sewer is not currently available throughout the entire area, extensions will be needed to accommodate higher density projects. As a general rule, new multi-family projects will not exceed 5 dwelling units per acre. The City may on a case-by-case basis consider higher densities when the developer presents an exceptional project that exceeds minimum requirements for protecting natural resources. New lots that are not served by public sanitary sewer will have a minimum lot size of 1.5 acres.

**Residential / Cottage Commercial Mix** The residential / cottage commercial mix land use designation includes the area along Bayfield Street from ~~11th Avenue West to 8th Avenue West~~. Single-family residences are the predominant existing use in this area, but there are several existing commercial uses interspersed among the single-family residences. The Land Use Plan envisions that this area will continue to provide predominantly single-family residential uses, but it also envisions limited commercial uses that are visually and functionally compatible with the surrounding single-family residences. Cottage commercial uses could include businesses such as a hair salon, coffee house, artist studio, or a real estate office that would not require significant parking and that could be integrated into the first floor with a residence on the second floor.

**Highway Commercial / Residential Mix** The highway commercial / residential mix land use designation includes the area along Bayfield Street from ~~8th Avenue West to Washington Avenue~~. This designation is intended to accommodate primarily highway commercial uses including auto repair shops, car washes, gas stations, grocery stores, building materials stores, and other commercial uses that may be inconsistent with the intent of the downtown core. Although this land use designation can also accommodate uses like offices, restaurants, and galleries, where feasible, those uses will ideally be located in the downtown core. Existing single-family residences are acceptable uses in this area. However, care will be taken to ensure the compatibility of highway commercial uses with existing single-family residential uses.  ~~Likewise, light industrial uses that are compatible with commercial and single-family uses may also be acceptable.~~

**Downtown Core** The Land Use Plan promotes the "downtown core" area as the heart (or core) of Washburn. ~~This area can be generally described as the area along Bayfield Street from Washington Avenue to 1st Avenue East.~~ It includes shopping, restaurants, entertainment, offices, museums, services, and government facilities. The upper levels of commercial uses may include residential uses. It is intended to be an attractive, compact, pedestrian-oriented area. This area will have pedestrian and visual connections to the waterfront where feasible. Infill development and building and streetscape enhancements are encouraged in this area.

~~**Planned Waterfront Mixed-Use** Land guided for planned waterfront mixed-use is intended to provide a mixture of commercial, residential, light industrial, and public recreational uses in a master-planned setting. The City envisions that the planned waterfront mixed-use area will be an attractive, pedestrian-oriented area where people can live, work, and play. New buildings in this area will have a residential appearance consistent with the vernacular architecture of Washburn. In general, uses along the street level could include uses like galleries, studios, offices, and boutiques. Upper levels could accommodate residential uses. Refer to Chapter 4: Waterfront and Coastal Resources, for a detailed description of the~~



Clinic on Bayfield Street in Area Guided for Residential / Cottage Commercial Mix (SWB, Inc.)



Grocery Store and Gas Station – Existing Highway Commercial Uses (SWB, Inc.)



Downtown Core (SWB, Inc.)



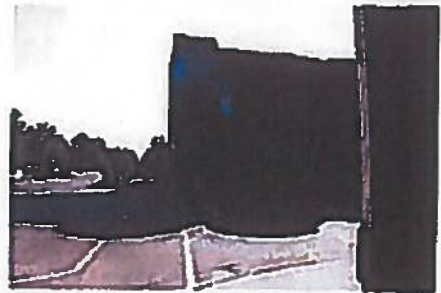
**planned waterfront mixed-use area:**

Planned Waterfront Special Development Land in this district is intended to provide a mixture of commercial and high density residential development. The Planned Waterfront Special Development District is intended to provide appropriate, high-quality development that recognizes the close proximity to the downtown core and Lake Superior. The objective of the Waterfront Special Development District is to attract development that increases Washburn's tax base as part of a master plan setting. Uses would include hotels, restaurants, high density residential, office buildings, and retail establishments. The district will encourage coordinated site planning and architectural design. Environmentally friendly economic development in this area includes on-site stormwater management that protects Lake Superior. The Planned Waterfront Special Development District recognizes the rarity of an area with such close proximity to Lake Superior that offers city utilities.



Illustrative Concept of Planned Waterfront Mixed-Use (SWB, Inc.)

Industrial-The Land Use Plan guides existing industrial uses in the city for continued industrial use. The Industrial land use designation identifies those areas where manufacturing and similar uses are acceptable. The Plan does not identify an area for a future industrial park. If opportunities to attract conventional industrial uses present themselves in the future, the City will then determine the best location for additional industry, and amend this Plan accordingly. The City envisions that sustainable industries and industries that relate to the "creative economy" will be integrated into the planned waterfront mixed-use area, if those sustainable industries are compatible with surrounding uses. Industries that exhibit a high degree of environmental responsibility are preferred. All new industrial uses must be served by sanitary sewer.



Washburn Iron Works, Inc. - Existing Industrial Use (SWB, Inc.)

Public / Semi-Public / Institutional Public / semi-public / institutional uses include schools, religious institutions, museums, and government facilities. These uses are scattered throughout the city. The Land Use Plan continues to guide these areas for public / semi-public / institutional use. Future public / semi-public / institutional uses may be sensitively integrated into other land use designations as well.

Public Park / Open Space The Land Use Plan guides existing parks and public waterfront land for park and open space. In addition, the City intends that park and public open space will be integrated into the planned waterfront mixed-use area and other significant areas of the city where subdivisions occur. Refer to Chapter 6: Utilities and Community Facilities for additional information.



City Hall - Existing Public / Semi-Public / Institutional Use (SWB, Inc.)

Waterfront Open Space The waterfront open space land use designation exclusively includes lands in public ownership along Lake Superior. These lands are reserved for open space purposes and may include public facilities for recreation and utilities.

Marina The Land Use Plan guides the existing marina for continued marina use with expansion. Refer to Chapter 4: Waterfront and Coastal Resources and Chapter 6: Utilities and Community Facilities for additional information.

Utilities / Service Community Facilities The Land Use Plan



Public Open Space along the Waterfront (SWB, Inc.)



~~envisioned that the existing Bayfield County Forestry facility will be integrated with the existing Bayfield County Highway Department site. It also envisioned that the City Public Works Department will be relocated to City land in the northwest corner of the city.~~

## STAGED GROWTH

The Land Use Plan strongly promotes private development and redevelopment in all areas of the City with the exception of lands currently designated as waterfront space along Lake Superior currently served by City sewer and water. Adequate land exists within the City's existing utility service boundary to accommodate the City's goal to increase its population to roughly 2,500 people by the year 2027. The City does not anticipate the need to extend City sewer and water to areas outside the 2007 urban sanitary sewer service boundary. The City may consider logical and reasonable extension of public sanitary sewer into any area if the City finds it is in the best interest of community. Consequently, the Comprehensive Plan does not include a detailed Staged Growth Plan. However, the City will allow growth in the rural residential / agriculture areas in manner consistent with the Comprehensive Plan and the Zoning Ordinance. In addition, the City may consider allowing the extension of public sewer and water to areas guided for rural residential / agriculture, if after analyzing the economic, environmental, and social consequences of such a proposal, the City finds it is in the best interest of the overall community to allow such growth to occur.

### Washington Avenue Overlay District

The future land use map (figure 3-2) identifies an area along Washington Avenue that is currently dominated by single-family residences and a variety of public and semi-public uses including worship facilities, schools, and government offices, but which in the future could include professional offices and similar uses. This area is seen as the logical growth area for future business growth (but not retail businesses), after the existing commercial land use areas are developed. All future development in this area will need to be consistent with the established residential character. This area is shown on the future land use map as a placeholder and will only go into effect when this plan is amended to formally establish the land-use designation.

## REQUIRED ZONING CHANGES

The City must update its Zoning Ordinance and Zoning Map to be consistent with this Comprehensive Plan. More specifically, the City must create new zoning districts that reflect the Land Use Plan. For example, the City must create a planned waterfront mixed-use district (or districts). Furthermore, the City must develop standards for each district that reflect the goals, objectives, and policies of the Land Use Plan. For example, the City must develop standards that address sustainability concepts. The City will set a budget and schedule to update the Zoning Ordinance. It will also develop a public participation plan to involve property owners in this planning process.

## SUSTAINABILITY

As discussed in Chapter 2: Issues and Opportunities, sustainability is an overarching principle of this Comprehensive Plan. The Land Use Plan helps set the framework for implementing sustainable concepts. For example, at one time the waterfront was viewed as an economic commodity whose primary purpose was to support industry. Little thought was given to the impact such development would have on the waterfront's natural and cultural resources. This solely economic view of the waterfront did not prove to be sustainable. Most industries on the waterfront folded.

The Land Use Plan, in contrast, acknowledges that the waterfront holds economic value, but that the social and natural resources components of the waterfront are equally as important. It promotes parks and open space, trails, a marina, and other water-oriented uses that respond to the social needs and desires of the community. It also promotes development that respects natural resources and processes. It recognizes that if the natural resources component of the waterfront is damaged, the cultural and economic components of the waterfront (and the City as a whole) will be negatively affected.

Sustainable development does not preclude commercial or industrial uses. Rather, it requires that all types of development be carried out in a way that minimizes harm to the natural environment, and if possible, improves ecological conditions. Sustainability extends beyond land use itself and guides decisions such as construction practices, building materials, and energy consumption. Thus, sustainability

applies to all types of land use. Sustainability also refers to the social environment. A sustainable community is one that meets the social needs of its population. It encompasses social supports such as health care, life-long educational resources, appropriate housing, and livable wage employment opportunities.

The Comprehensive Plan is only a beginning step for implementing sustainable concepts. The City will continue to expand and refine the sustainable concepts discussed throughout this Plan.



## Chapter 3: Land Use Amendment Exhibit 1

**Highway Commercial / Residential Mix** – The highway commercial / residential mix land use designation includes the area along Bayfield Street from 4<sup>th</sup> Avenue to 8<sup>th</sup> Avenue West. This designation is intended to accommodate primarily highway commercial uses including auto repair shops, car washes, gas stations, grocery stores, building materials stores, and other commercial uses that, in increased numbers, are may-be inconsistent with the intent of the downtown core. Although this land use designation can also accommodate uses like offices, restaurants, and galleries, where feasible, those uses will ideally be located in the downtown core. Existing single-family residences are acceptable uses in this area. However, care will be taken to ensure the compatibility of highway commercial uses with existing single-family residential uses.

**Downtown Core** – The Land Use Plan promotes the “downtown core” area as the heart (or core) of Washburn. It includes shopping, restaurants, entertainment, offices, museums, services, and government facilities. The upper levels of commercial uses may include residential uses. It is intended to be an attractive, compact, pedestrian-oriented area. This area will have pedestrian and visual connections to the waterfront where feasible. Infill development and the building and streetscape enhancements are encouraged in this area. Existing used, including filling station, auto repair shops, funeral homes, lumber yards, grocery stores, and industrial uses which in larger numbers would be contrary to the intent of the downtown core, in their current numbers contribute to the economic vitality of the area and should be retained.

Approved by Plan Commission on 122216

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**CITY OF WASHBURN**

**REQUEST FOR QUALIFICATIONS**

**FOR**

**Residential/Mixed Use Development on City-Owned Land**

**January 16, 2019**

## REQUEST FOR QUALIFICATIONS

### INTRODUCTION

The City of Washburn ("City") is issuing a request to firms to submit their qualifications to provide the necessary design, plans, and specifications and financing to redevelop all or part of 9.88 acres of land owned by the City of Washburn into a master planned single-family residential, multi-family residential, multi-use development, and/or any type of development allowed by zoning. This 9.88 -acre publicly owned site, hereinafter referred to as "the site" is a unique opportunity based on its size, accessibility to municipal utilities, its proximity to Lake Superior and its strategic location between downtown Washburn and the City's Marina.

The properties that are subject to this RFQ are #23, and #43 through #47 on the attached property inventory map. Please note that properties #27, #48, and #50 are no longer included in this RFQ as they were in the in the release of the 2017 version of this document.

#### **A. Process**

The City is proposing the following three-part process to select a firm or firms that will ultimately be responsible for developing the site into single-family units, multi-family housing units, mixed use development, and/or any type of development allowed by zoning that meets the community's desired development qualities as expressed in the attached document – "Development Plan for City-Owned Properties".

##### **Step 1**

Interested parties should submit their qualifications that show the firm's expertise in master planning and developing land for single and multi-family housing and mixed use developments.

At a minimum, the following items should be included in the submittal:

1. Company description and background (half page).
2. Resumes of lead staff that will be involved on this project and the qualifications of each
3. Examples completed projects that align with the type of development the City is seeking. For each project please include
  - a. Location
  - b. Status of project (completed, under construction, planning)
  - c. Final master plan showing types and sizes of units
  - d. Financial summary explaining how the project was financed (i.e. tax credits, conventional financing, grants, TIF, etc.)
  - e. Sale price and/or lease rates of finished units
  - f. References including a contact name and phone number

**Step 2**

Based on the responses from Step 1, the City will select firms for a community visit and site tour. This will allow for the selected firms and the City to meet one another and allow the parties to share their collective vision for the site and answer questions.

**Step 3**

Based on the information submitted in Step 1 and the community and site tour (step 2), the City will ask a select number of firms to submit a more detailed proposal to include;

1. Proposed conceptual site plan
2. Proposed timeline from shovel in the ground to total build-out
3. Estimated costs
4. Proposed financing schedule
5. Type and amount of public assistance needed, if any

**Step 4**

Based on the steps above the City will move into negotiations with one or more firms to develop the site with the final approval of a Development Agreement by the City Council.

**B. Submission Terms**

To be considered, one (1) hard copy and an electronic copy (PDF) of your firm's qualifications (Step 1 only) must be received at the City Clerk's Office, 119 Washington Avenue, P.O. Box 638, Washburn, Wisconsin 54891 by 4:00 P.M. on Tuesday, February 19, 2019. The City reserves the right to reject any or all qualifications submitted.

There is no expressed or implied obligation for the City to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

During the evaluation process, the City reserves the right to request additional information or clarifications from proposers, or to allow corrections of errors or omissions. At the discretion of the City, firms submitting proposals may be requested to make oral presentations as part of the evaluation process.

There is no guarantee that any responses to the RFQ will be accepted or that a firm will be selected by the end of the process.

The City reserves the right to retain all submitted materials and to use any ideas in a submittal regardless of whether that submittal is selected. Any submittal indicates acceptance by the firm of the conditions contained in this request for qualifications, unless clearly and specifically noted in the proposal submitted and confirmed in the development agreement between the City and the firm selected.

**C. Term of Engagement**

The scope, timeline and development standards of the proposed development will be described in a Development Agreement between the selected firm and the City of Washburn. The City of Washburn does expect the selected firm to begin the development process immediately upon entering into the Development Agreement.

**II. DESCRIPTION OF THE GOVERNMENT**

**A. Submittal Address**

Firms should send labeled proposals "Development on City-Owned Land – Omaha Street" to the following address:

City Clerk  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891

**B. Name and Telephone Number of Contact Persons**

The firm's principal contact with the City of Washburn will be Scott Kluver, City Administrator, 715-373-6160 Ext. 4.

**C. Background Information**

The City of Washburn serves a population of 2,104 in Northeastern Bayfield County. The City's fiscal year begins on January 1 and ends on December 31. Further information about the City of Washburn can be obtained on the City's website [www.cityofwashburn.org](http://www.cityofwashburn.org)

More information on the City of Washburn can be obtained by contacting Scott Kluver, at (715) 373-6160 Ext. 4 or by e-mail at [washburnadmin@cityofwashburn.org](mailto:washburnadmin@cityofwashburn.org). Any questions regarding this RFQ or its process should be directed to the previously mentioned individual.

### III. TIME REQUIREMENTS

#### A. Proposal Calendar

The following is a list of key anticipated dates starting with the dates proposals are to be submitted to the estimated date a Development Agreement would be approved by the City of Washburn. All submittals are due on the date stated by 4:00 p.m.

Step 1 –		
Due date for Qualifications		February 19
Selected firm(s) notified to move to step 2		February 26
Step 2 –		
Site and community tours		March 4 – 8
Selected firm(s) notified to move to step 3		March 12
Step 3 –		
Due date for Conceptual Development Plans		April 15
Step 4 -		
Firm selected to enter into negotiations		By May 13
Approved Development Agreement		By July 8

### IV. EVALUATION PROCEDURES

#### A. Proposal Evaluation

Submitted information will be evaluated by a review committee and/or the City of Washburn Common Council as the process moves through Steps 1-4. The final Development Agreement will be approved by the City of Washburn Common Council.

#### B. Evaluation Criteria

Proposals will be evaluated using three sets of criteria. Firms meeting the mandatory criteria will have their proposals evaluated for both technical qualifications and development approach. The following represent the principal selection criteria, which will be considered during the evaluation process.

##### 1. Mandatory Elements



- a. The firm has no conflict of interest with regard to any other work performed by the firm for the City.
- b. The firm adheres to the instructions in this request for proposal on preparing and submitting the proposal.

**2. Technical Qualifications**

- a. Demonstration of experience and qualifications of staff.
- b. Demonstration of past experience and performance on comparable government engagements.
- c. Proposed methods and approach in serving the City of Washburn.

**3. Development approach.**

- a. How closely the proposed development meets the community's vision, goals and objectives as defined in the attached document – "Development Plan for City-Owned Properties".
- b. Amount and form of public funding needed to facilitate the proposed development.
- c. Ability of firm to fund the project or gain the needed financing to ensure the proposed development occurs.

**C. Oral Presentations**

During the evaluation process, the City may, at its discretion, request any one or all firms to make oral presentations. Such presentations will provide firms with an opportunity to answer any questions the City may have on a firm's proposal. Not all firms may be asked to make such oral presentations.

**D. Final Selection**

A review committee and/or the Common Council will select a firm based upon the above criteria to move into negotiations and ultimately a Development Agreement. The final development agreement will be approved by the Common Council.

It is anticipated that a firm will be selected by May 13, 2019. Following notification of the firm selected, it is expected a development agreement will be executed between both parties by July 8, 2019 or shortly thereafter.

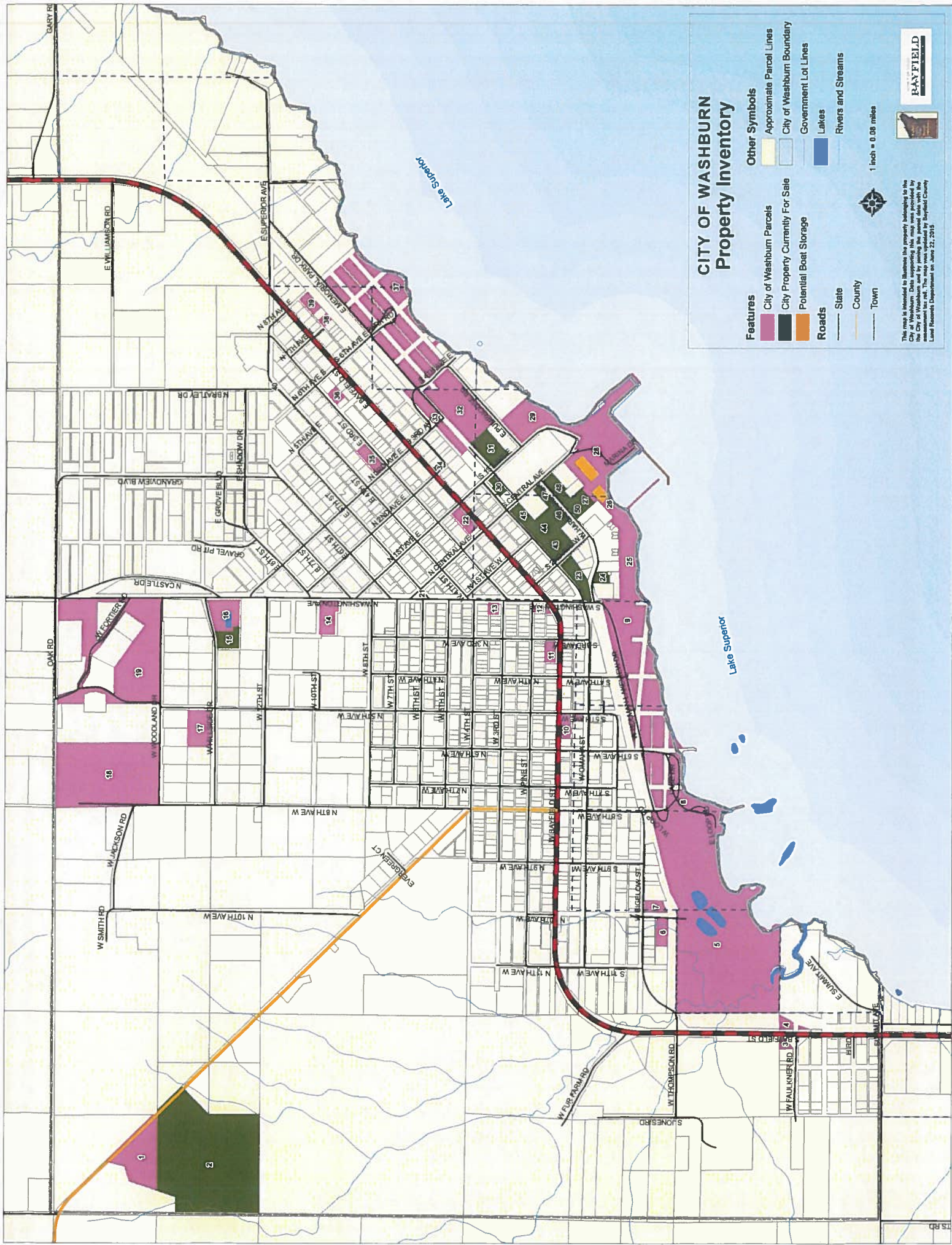
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**E. Right to Reject Proposals**

By responding to this RFQ an individual respondent accepts the process outlined in this RFQ and fully acknowledges that the final determination of the City of Washburn Council is binding and without appeal.

The City Administrator reserves the right to reject any or all proposals, without prejudice and/or waive any irregularities if deemed in the best interests of the City.

The City of Washburn Common Council reserves the right to accept the proposal considered most advantageous to the City of Washburn. All respondents accept this process in submitting a proposal.



# CITY OF WASHBURN Property Inventory

## Features

- City of Washburn Parcels
- City Property Currently For Sale
- Potential Boat Storage

## Roads

- State
- County
- Town

## Other Symbols

- Approximate Parcel Lines
- City of Washburn Boundary
- Government Lot Lines
- Lakes
- Rivers and Streams

1 inch = 0.08 miles

This map is intended to illustrate the property belonging to the City of Washburn. Data supporting this map was provided by the City of Washburn. The map was updated by Bayfield County Land Records Department on June 22, 2015.



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6



**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: Sex Offender Residency Ordinance  
Date: February 22, 2019

Enclosed you will find a proposed ordinance from our codifier relating to sex offender residency. You will also see some initial comments from our attorney. At the meeting, we can discuss the merits of whether or not the City should adopt such an ordinance and what the implication of various provisions would be. At this point, I have no recommendation on the issue other than to discuss. If the Council decides it is interested in moving forward, an ordinance specific to Washburn could be drafted for future consideration.

**washburnadmin@cityofwashburn.org**

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**From:** Max Lindsey <mlindsey@ncis.net>  
**Sent:** Wednesday, February 20, 2019 2:05 PM  
**To:** washburnadmin@cityofwashburn.org  
**Subject:** RE: Draft Ordinance

Scott,

>From a legal liability standpoint, there is not a pressing need to  
>adopt  
this ordinance right away since we do not have an existing ordinance that is in conflict with the newly decided federal court case. I cannot see any potential basis for the city being exposed to any legal liability for the failure to adopt a sex offender ordinance.

My opinion would be to present the idea of this ordinance to Council and see if they are interested in limiting the location of where registered sex offenders can reside. If they are interested, I think that this ordinance is a good starting point for that discussion. This ordinance seems to provide the most restrictive terms that would be allowed.

One area where I could see some pushback on this proposed ordinance is that it places a burden on property owners renting out apartments to check the sex offender registry or else be subject to potential penalties. That is not necessarily a bad thing, just something to keep in mind that this could penalize people other than actual offenders.

Max T. Lindsey  
Dallenbach, Anich & Wickman, S.C.  
220 6th Ave. W.  
P.O. Box 677  
Ashland, WI 54806  
Phone: (715) 682-9114  
Fax: (715) 682-9504

-----Original Message-----

From: washburnadmin@cityofwashburn.org <washburnadmin@cityofwashburn.org>  
Sent: Monday, February 18, 2019 9:31 AM  
To: mlindsey@ncis.net  
Subject: Draft Ordinance

Max,

Attached you will find a proposed ordinance from our codifier. Please let me know if you think this is worth pursuing or not.

Scott Kluver  
City of Washburn

-----Original Message-----

From: xerox@cityofwashburn.org <xerox@cityofwashburn.org>  
Sent: Monday, February 18, 2019 7:55 AM  
To: Kluver, Scott <washburnadmin@cityofwashburn.org>  
Subject: Scanned from the Washburn City Hall

# Community Code Service

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**ALAN J. HARVEY, ATTORNEY-AT-LAW**

3900 VINBURN ROAD  
DEFOREST, WISCONSIN 53532  
TELEPHONE (608) 846-5897  
alanjharvey@gmail.com

February 13, 2019

Scott Kluver, Administrator  
City of Washburn  
119 Washington Avenue  
Washburn, WI 54891

RE: **Ordinance Alert:** Sex Offender Residency Ordinance

Dear Scott and City officials:

As part of our firm's relationship with the City of Washburn, it is our policy with our Ordinance Alert Service to inform you of significant changes in the law which may impact City ordinances and municipal administration. For obvious reasons, it is unwise to have local ordinances "on the books" which are in conflict with such changes or to have "gaps" in ordinance protections.

This Ordinance Alert addresses important issues from a new federal court decision. With the recent case of *Hoffman, et al. v. Village of Pleasant Prairie*, Case No. 16-CF-697-JES from the United States District Court, Eastern District of Wisconsin, a federal judge found that the Village of Pleasant Prairie's sex offender residency ordinance violated the equal protections clause of the United States Constitution. The federal judge ruled that the primary problem with the village's ordinance was that the Safety Zones were so large (1,000 feet) that 90% of the municipality was not available for residency by a sex offender. The Village of Pleasant Prairie has since amended its sex offender residency ordinance by lowering the size of its Safety Zones, resulting in approximately 25% of the village now open residency by a sex offender.

The *Hoffman* decision is a published decision, meaning that it can be cited as a legal precedent. Municipalities across Wisconsin are responding by adopting amended sexual offender residency ordinances. Enclosed you will find such a new Ordinance for amending your Code of Ordinances with a new sex offender residency regulation, one which should keep your municipality in line with the new standards resulting from this court case and add important protections (the City currently does not have such an Ordinance). If adopted, this new Ordinance will help protect the municipality from future lawsuits; without such an Ordinance sexual offenders are able to live anywhere in the City (quite literally next to a school or daycare center).

Main points in the enclosed Ordinance are:

- (1) Safety Zones are now established as Five Hundred (500) feet from properties identified as ones where children are located. This change still allows considerable safety for children. In light of the federal court decision, you will want to review a map of the municipality to determine whether the Safety Zone limits, despite being reduced, provide adequate areas for sexual offenders to live. At least twenty-five percent (25%) of the area within municipal boundaries will need to be available following the federal court decision.

(2) To provide better clarity, Subsection (b)(7) of the enclosed Ordinance contains expanded definitions. These improved definitions may actually result in better Safety Zones. These enhancements should assist in defending against allegations of ordinance vagueness.

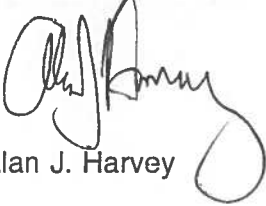
(3) The Ordinance has appeals requests for exemptions or modifications from the Ordinance going to the Plan Commission instead of the governing body. Courts generally look with favor on appeals under local ordinances being heard and determined by independent appointed bodies instead of by elected officials, the latter considered to be more vulnerable to political considerations. [If you prefer, the Zoning Board of Appeals could be substituted in the Ordinance for the Plan Commission; I designated the Plan Commission because that body tends to be more regularly active than the Zoning Board of Appeals].

I recommend utilizing the enclosed Ordinance as an addition to the City of Washburn Code of Ordinances, given the importance of the topic and the potential for controversy or litigation, making timing a key consideration.

Please feel free to contact me if you have questions or if I can be of assistance. Also, please let me know if and when the Council adopts the Ordinance.

Thank you.

COMMUNITY CODE SERVICE

A handwritten signature in black ink, appearing to read 'Alan J. Harvey', with a large, stylized loop at the end.

Alan J. Harvey

AJH:dsk

Enc.



**ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE REGARDING SEXUAL OFFENDER RESIDENCY RESTRICTIONS**

The Common Council of the City of Washburn, Bayfield County, Wisconsin, do ordain as follows:

**SECTION I. ADOPTION OF PROVISIONS.**

Section 11-2-12 of the City of Washburn Code of Ordinances is adopted to read as follows:

**Sec. 11-2-12 Sexual Offender Residency Restrictions.**

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

**(1) *Recitals.***

- a. 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.
- b. Upon recent review of a published opinion and order in the case of *Hoffman, et al. v. Village of Pleasnat Prairie*, Case No. 16-CF-697-JES from the United States District Court, Eastern District of Wisconsin, it is the intent of the Common Council to adopt a City of Washburn sexual offender residency ordinance consistent with this recent court decision.

**(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. It is the intent of this Section to serve the City's compelling interest to promote, protect, and improve the health, safety, and welfare of the citizens of the City of Washburn by creating safety zones around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from loitering or establishing temporary or permanent residence.
- e. This Section is a regulatory measure aimed at protecting the health and safety of children in the City of Washburn from risk that convicted sex offenders may reoffend in locations near their residences. Given the high rate of recidivism for sex offenders and that reducing opportunity and temptation is important to minimizing the risk of reoffense, there is a need to protect children where they congregate or play in public places in addition to the protections afforded by state law near schools, day care facilities and other places children frequent.
- f. 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.
- g. The Common Council of the City of Washburn has also been advised of the decision of the United States Court of Appeals for the 8th Circuit, in *Doe v. Miller*, 405 F.3d 700 (8th Cir. 2005), which provides in part at page 716 of that decision the following:

"The record does not support a conclusion that the Iowa General Assembly and the Governor acted based merely on negative attitudes toward, fear of, or a bare desire to harm a politically unpopular group. [Citations omitted.] Sex offenders have a high rate of recidivism, and the parties presented expert testimony that reducing opportunity and temptation is important to minimizing the

risk of reoffense. Even experts in the field could not predict with confidence whether a particular sex offender will reoffend, whether an offender convicted of an offense against a teenager will be among those who "cross over" to offend against a younger child, or the degree to which regular proximity to a place where children are located enhances the risk of reoffense against children. One expert in the district court opined that it just "common sense" that limiting the frequency of contact between sex offenders and areas where children are located is likely to reduce the risk of an offense. [Citation omitted.] The policy makers of Iowa are entitled to employ such "common sense", and we are not persuaded that the means selected to pursue the State's legitimate interest are without a rational basis . . ."

- (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. Due to the high rate of recidivism for sexual offenders, and because reducing both opportunity and temptation would help minimize the risk of re-offense, there is a compelling need to protect children where they congregate or play in public places.
- (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) for purposes of this Section.
  - (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. 980.45, Wis. Stats., so long as the person is subject to supervised release under Ch. 980, Wis. Stats., the person is residing where he or she is ordered to reside under Sec. 980.08, Wis. Stats., and the individual is in compliance with all court orders issued under Ch. 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. A residence may be mobile or transitory.

- (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, 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 homeowners association of a subdivision.
  - b. A swimming pool or splash pad where children swim, wade or splash in a pool or other aquatic facility held open for use 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 use by 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 speciality 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 movie theater.
  - i. 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.
  - j. A ski hill or sledding hill open to the public.
  - k. Any specialized school or place of instruction for children, including, but not limited to a gymnastics academy, dance academy, music school, or fitness club. Included are "private places" owned by a private entity or person and are open to the public to provide a service and where children regularly congregate, whether supervised or unsupervised.
  - l. A public or private golf course or range.
  - m. A place of worship, church, synagogue, mosque, temple or other house of religious worship ("church").
  - n. 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(17q), 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.; or a youth center, as defined in Section 961.01(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 & Not The Offender's Child
940.31	Kidnapping – Victim Was Minor & 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 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 Claus 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-familial 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 a 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 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 a 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 Sec. 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 cases involving a juvenile placed in accordance with this 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 place, 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 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 as are 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 Commission. 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, emailed 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 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 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 a review 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.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF WASHBURN, WISCONSIN

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Administrator-Clerk

INTRODUCED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

POSTED/PUBLISHED: \_\_\_\_\_

State of Wisconsin:

County of Bayfield:

I hereby certify that the foregoing Ordinance is a true, correct and complete copy of an Ordinance duly and regularly adopted by the Common Council of the City of Washburn on the \_\_\_\_ day of \_\_\_\_\_, 2019. and that said Ordinance has not been repealed or amended and is now in full force and effect.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Scott Kluver, City Administrator-Clerk



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**CITY OF WASHBURN  
BARTENDER LICENSES  
July 1, 2018 thru June 30, 2020**

Approved 5/14/18 #20-01 thru #20-07	Approved 6/11/18 #20-08 thru #20-14	Provisional Approved 6/7/18 #20-15 expires 8/6/18	Provisional Approved 6/18/18 #20-16 Thru #20-31 6/18/18 expire 8/17/18.		Provisional Approved 6/20/18 #20-32 expires 8/19/18.	Provisional Approved 6/21/18 #20-33 & #20-34 expire 8/20/18.	
Approved 7/9/18 #20-15 thru #20- 34.	Provisional Approved 7/4/18 #20-35 & #20-36 expire 9/2/18.	Provisional Approved 7/5/18 #20-37 & #20-38 expire 9/3/18.	Provisional Approved 7/20/18 #20-39 thru #20-41 expire 9/18/18		Approved 8/20/18 #20-35 thru #20- 41.	Provisional Approved 8/14/18 #20-42 expires 10/13/18.	
Provisional Approved 8/21/18 #20-43 expires 10/20/18.	Approved 9/10/18 #20-42 & #20-43	Provisional Approved 9/27/18 #20-44 & #20-45 expire 11- 26-18	Provisional Approved 9/28/18 #20-46 expires 11/27/18		Provisional Approved 10/9/18 #20-47 & #20-48 expires 12/8/18	Provisional Approved 10/26/18 #20-49 expires 12/25/18	
Approved 11/12/18 #20-44 thru #20-49	Provisional Approved 12/7/18 #20-50 expires 2/5/19	Approved 1/14/19 #20-50	Provisional Approved 1/25/19 #20-51 expire 3/26/19		Provisional Approved 1/28/19 #20-52 expires 3/29/19	Approved 2/11/19 #20-51 & #20-52	P I C K E D
Provisional Approved 1/31/19 #20-53 expires 4/1/19	Provisional Approved 2/9/19 #20-54 expires 4/10/19	Pending Approval 3/11/19 #20-53 & #20-54					
<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>MIDDLE NAME</b>	<b>MAIDEN OR PREVIOUS NAME</b>	<b>P A I D</b>	<b>PLACE OF BUSINESS</b>	<b>RENEWAL OR NEW LICENSE</b>	<b>U P</b>
Kelly	Bridget	Marie		X	Patsy's Bar	Renewal #20-01	X
Yonan	Steven	Michael		X	Patsy's Bar	Renewal #20-02	X
Waite	Maria	Magdalena		X	Roaming	Renewal #20-03	X
Dunham	William	Clarence		X	Midland	Renewal #20-04	X
Holman	Eric	Alan		X	Holiday	Renewal #20-05	X
Gibb	Joseph	Claus		X	A Nickel's Worth	Renewal #20-06	X
Berg	Patricia	Jeanne		X	Roaming	Renewal #20-07	X
Swiston	Jeffrey	Joseph		X	Roaming	Renewal #20-08	X
Doris	Michelle	Elizabeth		X	Roaming	Renewal #20-09	X
McCreery	Sara	Elizabeth		X	Roaming	Renewal #20-10	X
Kitzmiller	David	Michael		X	Firehouse Bar	Renewal #20-11	X
Wygonik	Rebecca	Ann		X	Roaming	Renewal #20-12	X
Krysh	Jeffrey	Peter		X	The Snug	Renewal #20-13	X
Ritter	Jason	Earl		X	South Shore Brew	Renewal #20-14	X
Kozitaz	Jill	M	Wedge	X	Midland Services	Provisional #20-15 New #20-15	X X
McGee	Nicholas	Tracy		X	South Shore Brew	Provisional #20-16 New #20-16	X X
Vitek	Nicholas	Alan		X	Holiday	Provisional #20-17 New #20-17	X X
Hill	Ann	Marie	Huybrecht	X	Roaming	Provisional #20-18 New #20-18	X X

Ledin, Jr.	James	Marlin		X	Roaming	Provisional #20-19 New #20-19	X X
Warren	Marion	Lee	Simonson	X	Roaming	Provisional #20-20 New #20-20	X X
Johnson	Audra	Marie	Jack-Martin	X	Hanson IGA	Provisional #20-21 New #20-21	X X
Arnao	Ethan	Errett		X	Hanson IGA	Provisional #20-22 New #20-22	X X
Potter	Donna	Marie	Wallner	X	Hanson IGA	Provisional #20-23 New #20-23	X X
Sorenson	Linda	Marie	Jergenson	X	Hanson IGA	Provisional #20-24 New #20-24	X X
Stegemann	Graham			X	Hanson IGA	Provisional #20-25 New #20-26	X X
Kolonko	Donna	Jean	Tarazewicz	X	Hanson IGA	Provisional #20-26 New #20-26	X X
Danula	Gloria	Ruth		X	Hanson IGA	Provisional #20-27 New #20-27	X X
Terry	Nicholas	Elton		X	Hanson IGA	Provisional #20-28 New #20-28	X X
Bratley	Georgianne	Kay		X	Roaming	Provisional #20-29 New #20-29	X X
Nickels	Chase	Douglas-Paul		X	Roaming	Provisional #20-30 New #20-30	X X
Sorenson	Katherine	Lyn		X	Patsy's	Provisional #20-31 New #20-31	X X
Day	Hannah	Raehelle		X	Hansen's IGA	Provisional #20-32 New #20-32	X X
McGrath	Mary	A		X	WashburnChamber	Provisional #20-33 New #20-33	X X
Viater	Emily	Ann		X	Midland Services	Provisional #20-34 New #20-34	X X
Pearson	Kenneth	William		X	South Shore Brew	Provisional #20-35 New #20-35	X X
Bobby	Barnes	Maveety II		X	South Shore Brew	Provisional #20-36 New #20-36	X X
Doucette	Eva	Marie		X	Hansen's IGA	Provisional #20-37 New #20-37	X X
Nye	Hayley	Jo		X	Hansen's IGA	Provisional #20-38 New #20-38	X X
Mashlan	Randy	Edward		X	Roaming	Provisional #20-39 New #20-39	X X
Holmquist	Kristine	Marie		X	Holiday	Provisional #20-40 New #20-40	X X
Lee	Susan	Claudia		X	Roaming	Provisional #20-41 New #20-41	X X
Sunie	Angelika-Noel	Rae		X	Hansen's IGA	Provisional #20-42 New #20-42	X X
Hyde	Paula	Jean		X	Roaming	Provisional #20-43 New #20-43	X X
Defoe	Debra	Rae		X	Hansen's IGA	Provisional #20-44 New #20-44	X X
Brown	Kelly	Jean		X	Hansens IGA	Provisional #20-45 New #20-45	X X
Hammel	Jordan	William		X	Patsy's	Provisional #20-46 New #20-46	X X
Ispen	Laurel	Erin		X	Patsy's	Provisional #20-47	X

