

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, May 18, 2020 City Hall 4:30PM
▪ Committee Review-Monthly Expenditures

NOTICE OF CITY COUNCIL MEETING

Monday, May 18, 2020 Washburn City Hall 5:30 PM - Amended on May 8, 2020 at 4:30 to correct Zoom information.

This meeting may have members participating via tele or web conferencing. Public participants can listen to the proceedings by utilizing a computer or smart phone and using the link <https://us02web.zoom.us/j/89060232004> or by calling 1 (877) 853-5247 (Toll Free) and entering Webinar ID: 890 6023 2004 as opposed to being present for the meeting. The meeting will also be broadcast on Washburn Cable Access Television, and be live streamed on the City of Washburn YouTube Channel. Limited seating will be available at the meeting and guests are asked to keep a six-foot distance from one another.

AGENDA

- Call to Order/Roll Call/Pledge of Allegiance
- Approval of Minutes – City Council Meetings – April 13 and 21, 2020
- Approval of Monthly Expenditures via Roll Call Vote
- Public Comment
- Mayoral Announcements, Proclamations, Appointments
 - Vacancy on Plan Commission **TAB 1**
 - Proclamations for National Skilled Nursing Care Week, National Police Week, Emergency Medical Services Week, Week of the Young Child, and Honoring Washburn High School Class of 2020 Graduates
- Discussion & Action on Proposed Survey Map for Block 89 of the Original Townsite of Washburn Affecting Tax IDs 33493 and 33494 – Kristy Jensch, Petitioner **TAB 2**
- Discussion & Action on Request to Extend Driveway Width – Clayton Russell, Petitioner **TAB 3**
- Discussion & Action on Disposal of Fire Department Brush Truck **TAB 4**
- Discussion & Action on Resolution 20-008 – Approving Submission of a DNR Recreational Trails Program Grant Application for a Portion of the Biking/ATV/Snowmobile Trail in the City of Washburn **TAB 5**
- Discussion and Action on Approval of Contract with Dallenbach, Anich & Wickman, S.C. for Municipal Attorney Services with Max Lindsey as Primary Counsel **TAB 6**
- Alcohol Licensing Matters –
 - Discussion & Action on Request to Reduce Alcohol License Fees Due to Covid-19 **TAB 7**
 - Introduction of Annual Alcohol and Beer Garden License Renewal Applications **TAB 8**
- Council Training on Open Meeting and Open Record Laws **TAB 9**
- Adjourn

April 13, 2020

CITY OF WASHBURN COMMON COUNCIL MEETING

5:30PM

Washburn City Hall & Remote Call-In

City Council Members:

Present, in-person:

Laura Tulowitzky, Tom Neimes, Mary McGrath, Carl Broberg

Present, call-in:

Karen Spears-Novachek, Aaron Austin, Jennifer Maziasz

Municipal Personnel:

In-person:

Mayor Richard Avol, City Administrator Scott J. Kluver,
Assistant City Administrator Tony Janisch,

Call-in:

Director of Public Works Bob Anderson, City Attorney Max
Lindsey

Excused Absence:

None

Call to Order - Meeting called to order at 5:30PM by Mayor Avol. Roll call attendance depicted six (6) of seven (7) members of the Common Council in attendance. Quorum of the Council recognized. Austin joined meeting after rollcall.

Approval of Minutes – City Council Meeting of March 9, 2020 - A motion was made by McGrath to approve the March 9, 2020 minutes of the City Council, second by Neimes. Motion carried unanimously.

Approval of Expenditures- No expenditures were presented for approval. The Finance Committee did not meet before this meeting.

Public Comment – There was no public comment.

Mayoral Announcements, Proclamations, Appointments- The Mayor gave thanks to many for their support during his term.

Discussion & Action on Resolution #20-005 Ratifying the Mayor's Proclamation of March 17, 2020 and Declaring a Health Emergency in the City of Washburn – The was no discussion. Moved by McGrath to approve Resolution #20-005, ratifying the Mayor's Proclamation of March 17, 2020 declaring a Health Emergency in the City of Washburn, seconded by Neimes. Motion carried unanimously.

Discussion & Action on Resolution #20-006 Providing for the Issuance, Sale, and Delivery of \$1,059,000 General Obligation Promissory Note, Series 2020A, of the City of Washburn; Establishing the Terms and Conditions Therefor; Directing their Execution and Delivery; Creating a Debt Service Account Therefor; and Awarding the Sale Thereof – Administrator Kluver stated new resolutions were received regarding the General Obligation Promissory Notes. Sean Lentz from Ehlers continued, drawing attention to the Series 2020A Sale Day Report regarding \$1,059,000 promissory note to refinance the Series 2010A issue for the Public Work Building, Boat Ramp Project and Water Utility Meter Replacement Project. Lentz stated that a single proposal to an RFP was received from Bremer Bank with a 1.78% interest rate. The repayment schedule would be over a 10-year period (2030) and funded through water utilities, sewer utilities, boat ramp fees and refunding of 2010 bonds. Lentz continued that the savings from refinancing 2010A issue at a new rate would be \$82,828 over the 10 years. Payments are set to drop in 2024 when new financing for the Bayfield Street Project would be needed. Moved by Broberg to approve Resolution #20-006, seconded by McGrath. Motion carried unanimously.

Discussion & Action on Resolution #20-007 Providing for the Issuance, Sale, and Delivery of \$417,000 Taxable General Obligation Promissory Note, Series 2020B, of the City of Washburn; Establishing the Terms and Conditions Therefor; Directing their Execution and Delivery; Creating a Debt Service Account Therefor; and Awarding the Sale Thereof – Kluver stated that this resolution is part two of the overall borrowing and is for the refinancing of the Coal Dock Project. Because of this, it will be a taxable issue note, but will still have a lower interest rate than the original loan. Lentz included that the loan amount would be for \$417,000, and Bremer is offering a 2.68% interest rate with an eight-year repayment schedule.

The savings from refinancing is \$74,262 over the period. Moved by Broberg to approve Resolution #20-007, seconded by Tulowitzky. Maziasz questioned the use of Coal Dock for recreation other than commercial. Kluver answered that one of the grants received for the Coal Dock the dock must open and available for commercial use, otherwise the grant amount would need to be paid back. However, recreation purposes could be done, it just cannot interfere with commercial activity. Kluver further noted that because the Coal Dock generates income, this was the reason for the different taxable interest rate, it could not be a tax-exempt borrowing. Motion carried unanimously.

Discussion & Action on Resolution #20-004 Updating the City's Debt Post Issuance Compliance Policy and Procedures – Kluver stated that part of the process with borrowing money is updating or reapproving the City's rules for borrowing the funds. Moved by Broberg to approve Resolution #20-004, seconded by McGrath. Motion carried unanimously.

Public Hearing, Discussion & Action on Ordinance 20-003 to Amend the Land Use Map of the City's Comprehensive Plan to Change a Portion of Land from Moderate Density Residential to Highway Commercial/Residential – Moved by McGrath to open the floor for Public Hearing, seconded by Neimes. Motion carried unanimously. There was no public comment. Moved by McGrath to close the floor for Public Hearing, seconded by Tulowitzky. Motion carried unanimously. Avol stated that this resolution is regarding the businesses within the assisted living building. Maziasz stated that at the Feb. 10th meeting there were questions from the parties involved. Maziasz further stated that with the COVID-19 cautions in place there might be less of a desire to attend a public meeting and further asked if these questions were answered and if the property landowners were notified. Avol stated that the questions were mainly though the Bayfield County Administrator, which were addressed. Kluver added that the responses to the County were satisfactory, and that the property landowners have been notified. He further included that the next step will be a zoning ordinance change and that there were some recommendations that the County has made. Attorney Lindsey noted that has looking into the requirements for public hearings in light of COVID-19 and the City has complied with public hearing requirements. Moved by Broberg to approve Ordinance #20-003, seconded by Tulowitzky. Motion carried unanimously.

Discussion & Action on Acceptance of Bid and Award of Contract for the Central Avenue Pavement Rehabilitation Project – Kluver stated that two bids were received for the Central Avenue project, with the low bid of \$64,801.32 from Northwoods Paving of Ashland. Public Works Director Anderson stated that the condition of the pavement on Central Ave. is past any type of preservation work. This project will use the existing road as a base with 3 inches of new pavement placed on top, from Bayfield Street to the start of Marina Drive. Discussion continued regarding the heavy-loaded truck traffic usage. Moved by Tulowitzky to accept the bid and award contract for the Central Avenue Pavement Project to Northwoods Paving, seconded by Broberg. Motion carried unanimously.

Discussion & Action on Contract with Sand Creek for an Employee Assistance Program – Kluver stated this is a recommendation from the Personnel/Finance Committee with the primary focus of the program being counseling services for staff, especially staff that deal with health and emergency situations. The is a service that Bayfield Co utilizes and as such is offered at a discounted rate, \$20/person per year. Moved by Tulowitzky to approve to a contract with Sand Creek for an employee assistance program, second by Broberg. Motion carried unanimously.

Discussion & Action on Employee Leave Donation Program Policy – Assistant Administrator Janisch stated this is another recommendation from the Personnel/Finance Committee. With the current COVID-19 pandemic, staff have been asking the possibility to donate sick/vacation time to other employees who may be in need. Janisch continued that this is a practice that has occurred in the past at the City, and this policy formalizes this practice and allows employees to donate time without being taxed on the donation. Moved by McGrath to approve an Employee Leave Donation Program policy, second by Neimes. Motion carried unanimously.

Discussion & Action on Creation of a COVID-19 Emergency Business Loan Program – Mayor Avol stated that he came up this idea, using funds from a program that was no longer in operation, to help Washburn business during this time of crisis. Kluver included the recommendation of \$76,000 be utilized for

the program, and that the \$30 recording fee be absorbed in the application process. Kluver further noted that the criteria were discussed at committee level. Avol added that he wanted the process to be administrative and that no elected official will be on the determining board. Moved by Novachek to approve the creation of a COVID-19 Emergency Business Loan Program and absorb the \$30 recording fee, second by Tulowitzky. Neimes stated that he prefers that preference be giving to main street businesses and the suggested the motion be changed to reflect this. Discussion ensued. No second was received for the proposed change and the amended failed. McGrath and Neimes abstained. Austin, Broberg, Maziasz, Novachek, & Tulowitzky voted in favor. Motion carried.

Discussion & Action to Create and Classify Severance Liability as a Designated Fund – Kluver stated this item was also discussed with the Personnel/Finance Committee, and identified when proceeding with the refinancing plan, it was recommended that the City's employee severance liability be placed in a designated fund which could not be spent with Council approval. A motion was made by McGrath to approve the creation of an Employee Severance Liability Designated Fund, second by Novachek. Motion carried unanimously.

Discussion & Action on Financial and Maintenance Agreements with the Wis. Department of Transportation Outlining Project and Cost Responsibilities for the 2024 Bayfield Street Reconstruction Project – Kluver stated this is the first agreement with the State, for the first half of the Bayfield St. Project. The figures included are only estimate and actual numbers will not be known until later, when the work would go to bid. A motion was made by McGrath to approve the financial and maintenance agreements with the Wis. Dept. of Transportation outlining project cost responsibilities for the 2024 Bayfield Street Project, second by Broberg. Motion carried unanimously.

Discussion & Action on Location of Decorative Lights for the Bayfield Street Project – Robust discussion ensued regarding decorative lighting and location. Tulowitzky noted that decorative or pedestrian lighting would have a different look and appeal than highway lighting, and this lighting should at least stretch to where pedestrians will be walking, at least to 5th or 6th Ave. Kluver added that if we tell the DOT that the City would like decorative lights along some portion of Bayfield St., they will begin engineering of this. If the City changes this later on, we may have to pay for the engineering costs. Kluver further stated that the sooner the area is defined, the better; and that there is still time to determine the specific style of lighting. Neimes made a motion to approve the location as stated with the ability to change at a later date. Discussion continued. Neimes withdrew his motion. A motion was made by McGrath to approve the location of decorative lighting on Bayfield Street from 5th Ave. W to Washington Ave., second by Neimes. Motion carried unanimously.

Discussion & Action on Release of RFP for Engineering Services for Bayfield Street Reconstruction Project – Avol noted an error in general information of the RFP, proposals are due May 14th, not May 1st as indicated. He also noted that Bob Anderson, Director of Public Works, would not be the contact person as he is leaving this position. A motion was made by McGrath to release the RFP for engineering services for the Bayfield Street Project, second by Broberg. Motion carried unanimously.

Discussion & Action on Ordinance 20-004 to Designate the City Clerk to Issue Operator (Bartender) Licenses – A motion was made by McGrath to approve Ordinance 20-004, second by Broberg. Motion carried unanimously.

Alcohol Licensing Matters

New Bartender License Applications - #21-50 through #21-53 – A motion was made by Broberg to approve New Bartender License Applications – #21-50 through #21-53, second by McGrath. Motion carried unanimously.

Discussion & Action on Public Works Director Job Description, Authorization to Solicit for Position, and Authorization to Expend Funds for Interim Consultation Services – Mayor Avol expressed his appreciation for the work that Bob Anderson has done for the City and is sad to see him leave. A motion was made by McGrath to approve the Public Works Director job description and authorized the solicitation of the position and authorize the expenditure of funds within budget limits for

consultation services, second by Tulowitzky. Motion carried unanimously.

Closed Session Items

Compensation to Assistant City Administrator for Temporary Assumption of DPW

Director Duties – A motion was made by Broberg to go into closed session at 6:56 pm 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 Neimes. Motion carried unanimously via roll call vote.

Discussion occurred on the appropriate salary for the Assistant Administrator during the interim period when he will also be acting as Public Works Director. McGrath moved, and second by Tulowitzky, that from the period of May 11, 2020 until such time as a new public works director is hired, the Assistant Administrator salary shall be equivalent to \$58,992.10. Furthermore, the Administrator is authorized to take any actions deemed necessary for additional support, consultation, or interim positions during this period. Motion Carried unanimously.

Adjourn – Motion to adjourn by Broberg, seconded by Neimes. Motion carried unanimously. Meeting adjourned at 7:17 pm.

Tony Janisch
Assistant City Administrator

April 21, 2020

**CITY OF WASHBURN RE-ORGANIZATIONAL
COMMON COUNCIL MEETING**

5:30PM

Washburn City Hall & Remote Video Conferencing

City Council Members:

Present, in-person:

Tom Neimes Jr, Carl Broberg, Mary McGrath

Present, remote:

Karen Spears-Novachek, Jennifer Maziasz, Laura Tulowitzky,
Dave Anderson

Municipal Personnel:

Present, in-person:

City Administrator Scott J. Kluver, Asst. City Administrator Tony Janisch

Present, remote:

Mayor Mary Motiff, City Attorney Max Lindsey

Excused Absence:

None

Call to Order - Meeting called to order at 5:30pm by Mayor Motiff. Roll call attendance depicted seven (7) of seven (7) members of the Common Council in attendance. Quorum of the Council recognized.

Mayoral Announcements, Proclamations, Appointments – The Mayor noted this as the first video conferencing City Council meeting and reviewed protocol and webinar etiquette for the meeting. She then thanked out-going Mayor Richard Avol and out-going Council Member Aaron Austin for their years of service to the City of Washburn.

Administrator Kluver stated that normally newly elected officials are invited to attend New Officials Workshop sponsored by League of Wisconsin Municipalities. However, giving the current Stay-At-Home orders, all summer workshops have been canceled. Potentially, online webinars may be developed, or fall workshops will be offered.

Election of Council President – Maziasz nominated Karen Novachek for Council President, no other nominations were received. A motion was made by McGrath to elect Novachek to Council President, second by Broberg. Motion carried unanimously.

Election of Plan Commission Member (2/3 Vote Required) – Tulowitzky nominated Dave Anderson to the Plan Commission. Moved by Maziasz to elect Anderson to Plan Commission, second by Broberg. Motion carried unanimously.

Confirmation of Council Member Appointments to Boards, Commissions, Committees - Mayor is asking for the following City Council appointments: Laura Tulowitzky to Library Board, Tom Neimes to Bart Board, Carl Broberg to Harbor Commission, Jennifer Maziasz to Parks Committee, Personnel/Finance Mary McGrath, Laura Tulowitzky, and Karen Spears-Novachek. Kluver noted that Mayor Motiff should serve as City Representative on the Joint Review Board for TID#3. Moved by Novachek to confirm the Mayor appointments of Council members to the various boards, commissions, and committees, second by Neimes. Motion carried unanimously.

Confirmation of Citizen Appointments to Boards, Commissions, Committees - The Mayor noted the vacancy on the Plan Commission with Anderson changing roles for citizen to city representative and stated she would like to nominate the following Citizens: Rick Grubele & Candace Kolenda to Harbor Commission, John Baregi to Plan Commission, Kristy Jensch, Sherry Mager with Linda Barnes as Alternate 1 to Zoning Board of Appeals, Erika Lang & Jamie Cook to Parks Committee and Diane Posner & Margo Smith to Library Board. A motion was made by Anderson to approve all citizen appointments, second by Broberg. Motion carried unanimously.

Appointment of Weed Commissioner – The Mayor is asking that Tony Janisch be appointed as Weed Commissioner. Moved by Neimes to appoint Assistant City Administrator Tony Janisch as the Weed Commissioner, second by Maziasz. Motion carried unanimously.

Designation of Public Depository (s) – A motion was made by McGrath to approve all listed below as the public depository(s), second by Tulowitzky. Motion carried unanimously.

- Bremer Bank
- Chippewa Valley Bank
- Northern State Bank

Designation of Official Newspaper- A motion was made by Novachek to designate the Ashland Daily Press as the official paper, second by Tulowitzky. Motion carried unanimously.

Discussion of Orientation and Other Training for Council Members – Kluver stated that typically a tour of City facilities is offered for newly elected and current elected officials and when deemed appropriate, this tour will be scheduled. He further stated resource materials available at City Hall on municipal governance, and to please ask questions when you have them. City Attorney Max Lindsey stated that at the council meeting, he will present a training session on Open Records, e-mail quorums, and walking quorums.

Discussion & Action on Possible COVID-19 Business Relief Loan Program Policy Revisions – Kluver stated that five loan applications have been received so far. Two of the applicants have delinquent utility and/or tax payment issues and having these paid off is one of the qualifications for a loan. Another of the applicants is a non-profit organization which brings into questions requirement for collateral of business assets and personal guarantee. Regarding the first issue, Kluver stated that the City could stick to the policy and businesses would be eligible for a loan only after they had paid off utility/tax delinquencies or appeal their application to Council. Or, that the policy be amended to allow for a portion of the loan to pay off delinquencies with the remaining amount going to the business. McGrath moved to amend the Business Relief Loan Program Policy to allow for loan funding to be used in delinquency payments to the City, second by Tulowitzky. Attorney Lindsey clarified this motion would apply retroactively, and the individual businesses would not have to reapply. McGrath and Tulowitzky agreed to the clarification of the motion. Discussion ensued. Anderson suggested amending the motion to include that up to 50% (\$1,000) of the loan can be used for payment delinquencies. Broberg expressed concern of loaning funds to pay off city debt if the business is likely to fail. McGrath stated that the benefit of the doubt needs to be giving. McGrath further stated that the entire loan amount (\$2,000) should be available for payment delinquencies. Motiff clarified that, as an example, if a business owed \$2,200, they would be denied for the loan. However, if they paid \$200, they could apply for \$2,000 to help pay the remaining delinquency. McGrath agreed to an additional amendment to her motion to include that up to \$2,000 be available to pay off utility/tax delinquencies, so long as the total amount owed be no more than \$2,000. Tulowitzky agreed to this additional amendment. Motion carried unanimously.

Attorney Lindsey continued discussion stating that the currently policy states either a mortgage or security agreement of inventory or assets as well as personal guarantee by an owner of the business as collateral for the loan. He further stated that in regard to a non-profit organizations, this guarantee could be the organization's president or officer. Novachek asked if more than one person could be the guarantee. Lindsey stated that this was possible and that a portion of the full loan amount could be assigned to each individual. Lindsey further stated that unless there was a need/desire to remove the personal guarantee, they would be no need to take action. No motion was received to amend this item on the policy.

Adjourn – Mayor Motiff adjourned the meeting at 6:17pm.

Tony Janisch
Assistant City Administrator

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National Skilled Nursing Care Week 2020 Proclamation

To designate the Week of May 10-16, 2020, as National Skilled Nursing Care Week

WHEREAS, the citizens of Washburn and area communities, now residing in nursing homes have contributed immeasurably to the heritage, success and growth of our community; and

WHEREAS, nursing home residents of any age or ability are themselves living history and a precious resource; and

WHEREAS, Nursing Homes across the Nation are holding events in observance of National Skilled Nursing Care Week guided by this year's national theme of "Sharing Our Wisdom" to show how they achieve happy minds and healthy souls, and

WHEREAS, National Skilled Nursing Care Week begins on, May 10th and ends on May 16th, 2020; now

THEREFORE, I, Mary D. Motiff, Mayor of the City of Washburn, in recognition of this event do hereby proclaim the week of May 10-26, 2020, as

NATIONAL SKILLED NURSING CARE WEEK

Mary D. Motiff, Mayor

National Police Week 2020 Proclamation

To designate the Week of May 10-16, 2020, as National Police Week

WHEREAS, The Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 13th falls dedicated as "National Police Week" and

WHEREAS, the Members of the Law Enforcement Agency of the City of Washburn play an essential role in safeguarding the rights and freedoms of the City of Washburn; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law Enforcement Agency, and that members of our Law Enforcement Agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the officers of the Police Department of the City of Washburn unceasingly provide a vital public service; and

WHEREAS, it is appropriate to recognize this vital public service; then

THEREFORE, I, Mary D. Motiff, Mayor of the City of Washburn, in recognition of this event, declare the week of **May 10th – May 16th, 2020**, as Police Week. I further call upon all citizens of the City of Washburn to observe **Friday, May 15, 2020**, as Peace Officers Memorial Day in honor of those Law Enforcement Officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

Mary D. Motiff, Mayor

EMS Week Proclamation

To designate the Week of May 17-23, 2020, as Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, I, Mary D. Motiff, Mayor of the City of Washburn, in recognition of this event do hereby proclaim the week of May 17-23, 2020, as

EMERGENCY MEDICAL SERVICES WEEK

Mary D. Motiff, Mayor

Proclamation Honoring Washburn High School Graduates in the Class of 2020

WHEREAS, the 2019-2020 academic year and commencement ceremonies have been suspended due to the global coronavirus pandemic; and

WHEREAS, families, friends, neighbors and educators should encourage everyone to focus on the abilities of all young people and honor their hard work and accomplishments; and

WHEREAS, Washburn High School students in the Washburn School District have contributed greatly to our community in many ways; and

WHEREAS, the most effective way to increase awareness of the value of education and to honor graduating seniors is through everyone's active participation in community activities as well as being open to learn and acknowledge each individual's abilities, talents and contributions; and

WHEREAS, our students represent a bright future and will continue along the path of service and leadership in our community, state and nation;

NOW, THEREFORE, the Washburn Mayor and City Council hereby recognize the achievement of graduating members of the Class of 2020 and on behalf of the residents of the City of Washburn offer our heartfelt congratulations, and

BE IT FURTHER RESOLVED, that I, Mary D. Motiff, Mayor of the City of Washburn, Wisconsin, does hereby proclaim the period of time from May 10 to June 7, 2020 as 'High School Senior Recognition Month.' Go Castle Guards!

Mary D. Motiff, Mayor

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



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

To: Honorable Mayor and City Council Members
From: Scott J. Kluver, Administrator *SSK*
Re: Proposed Survey Map of Jensch/Suske Properties
Date: May 8, 2020

Enclosed you will find a copy of a draft survey map that changes the configuration of the properties in Block 89 of the Original Plat of Washburn. The specific change requested is that Lot 14 would be transferred from Tax ID 33493 to Tax ID 33494.

This change allows property 33494 to have a larger back yard, and reduces the size of property 33493 without having any adverse zoning issues created.

The lots are of residential use and conform to the Comprehensive Plan. I recommend approval of the proposed reconfiguration contingent upon taxes are paid in full on both properties at the time of transfer (*I am unable to verify taxes at the time of writing because the system is down*).

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

CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 29642**Date:** 5/08/2020**Check****RECEIVED
FROM**

KRISTY JENSCH

\$25.00

Type of Payment

Accounting

Description

ZONING PERMITS

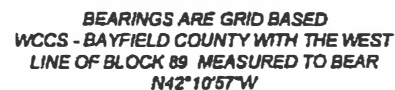
SURVEY REVIEW

Amount

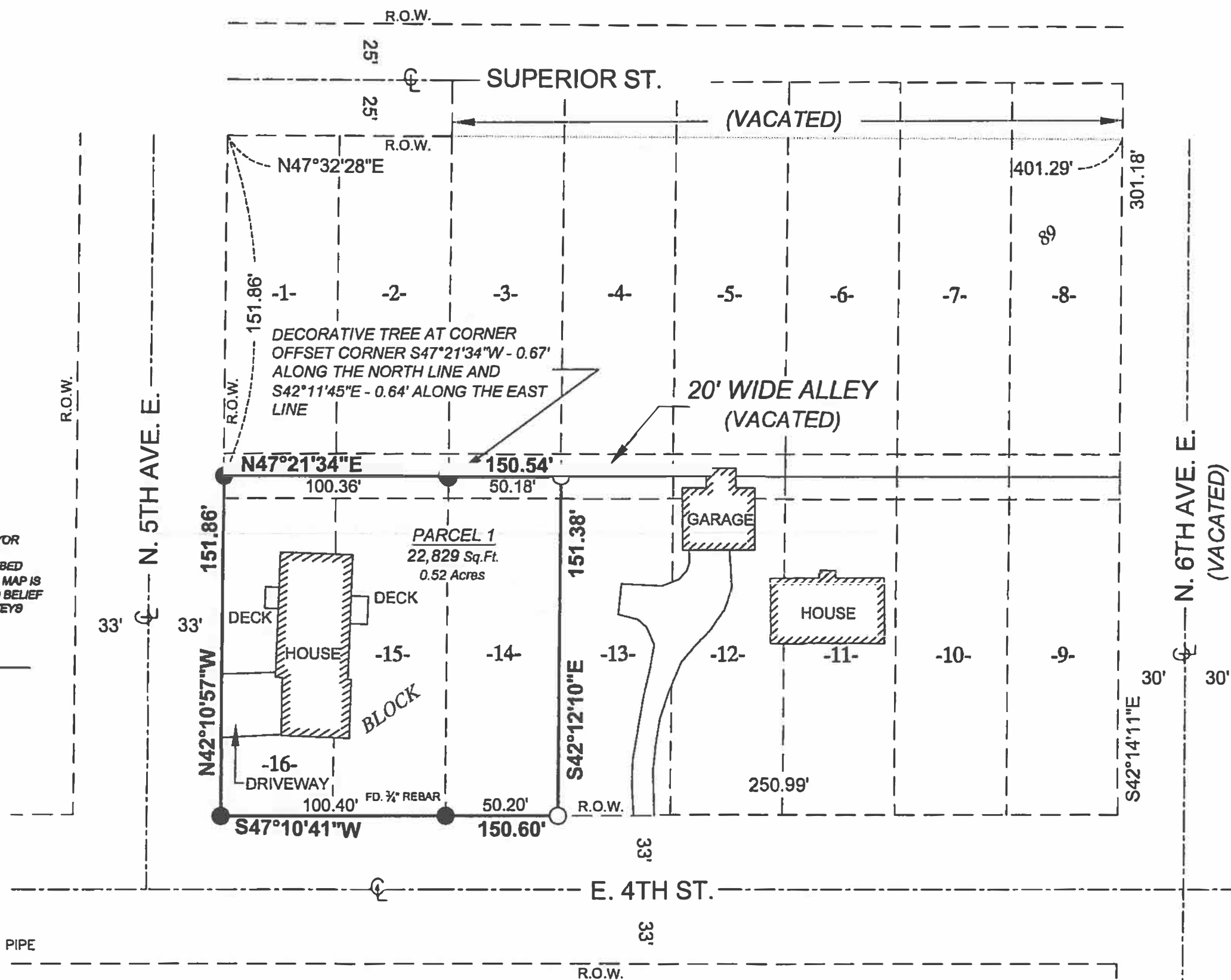
25.00

TOTAL RECEIVED

25.00



**LOTS 14, 15 & 16, BLOCK 89, OF THE ORIGINAL TOWNSITE OF THE CITY OF WASHBURN
BAYFIELD COUNTY, WISCONSIN.**



SURVEYOR'S CERTIFICATE:

**I, PATRICK A. MCKUEN, WISCONSIN PROFESSIONAL LAND SURVEYOR
S-2992, DO HEREBY CERTIFY THAT THIS MAP WAS MADE AT THE
DIRECTION OF KRISTINE JENSCH, OWNER OF THE ABOVE DESCRIBED
AND MAPPED PARCELS, AND THE INFORMATION SHOWN ON THIS MAP IS
CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF
AND MEETS THE MINIMUM STANDARD REQUIREMENTS FOR SURVEYS
UNDER AE-7 OF WISCONSIN ADMINISTRATIVE CODE.**

DATED THIS 3 DAY OF May, 2020
 PATRICK A.
 MCKUEN
 S-2992
 ASHLAND,
 WI
 PINE RIDGE LAND SURVEYING, LLC.
 PATRICK A. MCKUEN
 WI P.L.S. S-2982

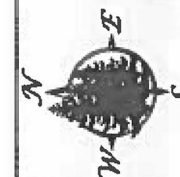
LEGEND

- -SET 1 1/4" O.D. x 18" IRON PIPE
● -FD. 1 1/4" O.D. IRON PIPE —
(UNLESS NOTED OTHERWISE)



PATRICK A. MCKUEN, PLS
29390 WOODLAND RD,
A5HLAND, WI 54806
PH. 715-682-2969
WWW.PINERIDGESURVEYING.COM
MCKUEN@PINERIDGESURVEYING.COM

**Pine Ridge
Land Surveying, LLC.
Professional Land Surveying Services**

[illegible]

**JENSCH
PLAT OF SURVEY**

PROJECT NUMBER:
JN5CH19-C.O.W.
FIGURE/SHEET
NO.
1
OF 1

3

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



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

To: Honorable Mayor and Common Council Members

From: Bob Anderson, Deputy Zoning Administrator

Re: Clayton Russell Driveway Permit Application

Date: April 13, 2020

Mr. Clayton Russel has submitted an application for a driveway permit at his residence located at 110 E 3rd Street. This application seeks to add width to the existing driveway that accesses the property from the alley across from the US Forest Service building.

Upon review of his application the zoning ordinance limits the width of driveways to 18 feet for residential use. This can be waived by the Common Council at their discretion. The existing driveway measures 24 feet wide and the proposed addition would be to add 12 feet more width.

A discussion with Mr. Russell identified a drainage concern as the reason he wished to pursue the added width to his driveway. After visiting the site I agree there is a drainage problem with the alley being higher than the adjacent property with no place to direct runoff. The proposed construction would elevate this area and develop a swell that would channel water and keep it from encroaching onto the neighboring parcel.

Below are images of the existing conditions and of the property and proposed driveway:



CITY OF WASHBURN DRIVEWAY PERMIT APPLICATION

Driveway Permit (Section 6-3-1(c), Code of Ordinances)
(No charge if applied for with building permit for new structure construction)

\$25.00 if permeable surface used

\$50.00 if impervious surface used

Complete the following with name, address, & phone

Property Owner(s): Clayton T. Russell, Kathryn Adee
Street Address: 116 E. Third St.
Mailing Address: _____
Home Phone: (307) 921 0978 Business Phone: ()

Existing Driveway on Property Yes X No _____

Existing Sidewalk on Property Yes _____ No _____

Location of Planned Driveway: Street _____ Avenue _____ Alley X

(A DRAWING MUST BE ATTACHED TO THE APPLICATION DEPICTING STREET, ALLEY, AND/OR AVENUE ADJACENT THE PROPERTY, AND INCLUDING ALL STRUCTURES AND LOCATION OF INGRESS/EGRESS)

Description of work - width, length, material used Improve drainage w/ bed of gravel - Expand driveway 12'
Estimated Project Cost \$3200 (C&W)

I agree to comply with all applicable codes, statutes and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. I also agree to abide by any special condition or restriction placed on me by this permit.

Applicant Signature [Signature]

Date Apr 19 2020

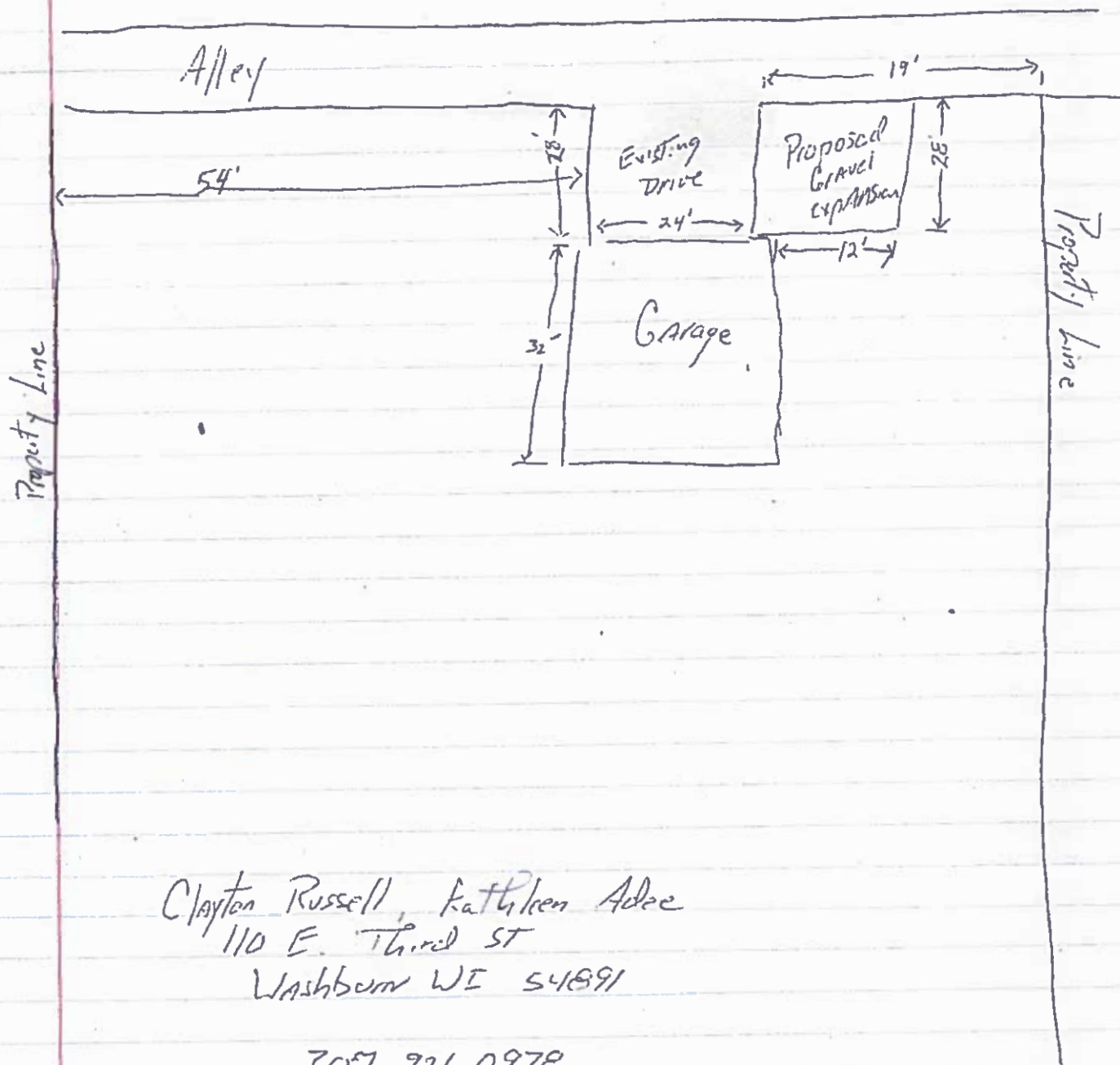
CULVERT STATUS		CULVERT SPECIFICATIONS
NONE NEW _____	EXISTING TEMPORARY _____	
DIAMETER	LENGTH	
NONE _____		CULVERT TYPE
8 INCH _____		GALVINIZED _____
10 INCH _____	10-15 FEET _____	PLASTIC _____
12 INCH _____	15-20 FEET _____	
15 INCH _____	20-25 FEET _____	END SECTIONS REQUIRED
18 INCH _____	25-30 FEET _____	YES _____
21 INCH _____	30-35 FEET _____	NO _____
24 INCH _____	35-40 FEET _____	
	OTHER _____	

Municipal Approval _____

Date _____

CONDITIONS OF APPROVAL This permit is issued pursuant to the following conditions. Failure to comply with these conditions may result in suspension or revocation of this permit or other penalty.

VSFS



Clayton Russell, Kathleen Adoe
110 E. Third St
Washburn WI 54891

307 721 0978

Existing Conditions



The City of Washburn is an equal opportunity provider, employer, and lender.

Proposed Driveway



- (8) **Relocation of Utilities.** Any costs of relocating utilities shall be the responsibility of the property owner with approval of the Common Council necessary before any utility may be relocated and the driveway installed.
 - (9) **Construction Across Sidewalks.** All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in Section 6-2-2 of this Code insofar as such requirements are applicable, including thickness requirements, except as otherwise provided for in Section 6-3-2(a)(6).
 - (10) **Variances.** Any of the above requirements may be varied by the Common Council in such instances where the peculiar nature of the property or the design of the street may make the rigid adherence to the above requirements impossible or impractical.
- (b) **Special Requirements for Commercial and Industrial Driveways.** The following regulations are applicable to driveways serving commercial or industrial establishments:
- (1) **Width of Drive.** No part of a private driveway located within the dedicated area of a public street shall, except as hereinafter provided, have a width greater than thirty (30) feet measured at right angles to the center line of said driveway, except as increased by permissible radii. In instances where the nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway of greater width than herein specified, the Common Council in its discretion may permit a driveway of additional width.
 - (2) **Angular Placement of Driveway.** The angle between the center line of the driveway and the curb line shall not be less than 45°.
 - (3) **Island Areas.** Where the public sidewalk is adjacent to the curb, an island of a minimum length of six (6) feet measured along the curb line shall be placed between each entrance to a City street. The curb shall be left intact for the length of this island. Where the public sidewalk is remote from the curb, an island of a minimum length of ten (10) feet measured along the right-of-way line shall be maintained along each entrance to the City street. All flares shall be tangent to the curb line. A curb length of not less than three (3) feet shall be left undisturbed adjacent to each property line to serve as an island area in the event an adjoining property owner applies for a driveway permit to serve his property.
- (c) **Special Requirements for Residential Driveways.** The following regulations are applicable to driveways serving residential property:
- (1) Unless special permission is first received from the Common Council, or committee thereof, a residential single-type driveway shall be no greater than eighteen (18) feet wide at the curb line and fifteen (15) feet wide at the outer or street edge of the sidewalk; residential double-type driveways shall be no greater than twenty-four (24) feet wide at the curb line and eighteen (18) feet wide at the outer or street edge of the sidewalk.
 - (2) **Angular Placement.** The center line of the drive may be parallel to the property line of the lot where access is required or at right angles to the curb line.


- (d) **Appeal from Permit Refusal.** Any person feeling himself aggrieved by the refusal of the City Clerk to issue a permit for a private driveway may appeal such refusal to the Common Council within twenty (20) days after such refusal to issue such permit is made.
- (e) **Prohibited Driveways.**
- (1) No person, firm or corporation shall place, construct, locate in, or cause to be placed, constructed or located in, any obstruction or structure within the limits of any public road, highway or street in the City of Washburn except as permitted by this Section. As used herein the word "structure" includes private driveways, a portion of which extends into any public road, highway or street, and which is in non-conformance with this Chapter.
 - (2) No driveway shall be closer than fifteen (15) feet to the extended street line at an intersection. At street intersections a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the City for effective traffic control or for highway signs or signals.
 - (3) The grade of that portion of any private driveway or pedestrian path located within the limits of any public road, highway or street shall be such as shall meet the grade of the existing public roadway at its edge and not cause an obstruction to the maintenance or clearing of such public roadway.
 - (4) No driveway apron shall extend out into the street further than the facing of the curb and under no circumstances shall such driveway apron extend into any gutter area. All driveway entrances and approaches shall be constructed as not to interfere with the drainage of streets, side ditches or roadside areas, or with any existing structure on the right-of-way.
 - (5) No portion of any curb, parapet or retaining wall, rising above the grade of the driveway, erected by the owner of the premises involved shall extend beyond the culvert spanning the water course located in such public way.

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



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

To: Honorable Mayor and City Council Members
From:  Scott J. Kluver, Administrator
Re: Disposal of Fire Dept. Brush Truck
Date: May 8, 2020

Enclosed you will find a request from the Fire Chief and Assistant Fire Chief to sell the old brush truck to the Town of LaPointe.

Negotiated sales of equipment are allowable under the ordinance which I have also included. Typically, we would place such equipment and the Wisconsin Surplus auction site.

I recommend that a minimum \$2,000 price be set for the truck, but I do not object to the sale of it to the Town of LaPointe directly.



Washburn Fire Department
Washburn, Wisconsin

May 8, 2020

To : City of Washburn
Council Members

From: Washburn Fire Dept.

We have put our new brush truck in service and are now able to ~~dispose~~ or retire the old 1992 Ford Brush Truck with the old skid load.

Madeline Island Fire Dept is in need of such a truck and has expressed interest in the truck as-is.

Our request is, that it not be offered for sale thru the normal bid format and that Madeline Island Fire Dept be allowed to make an offer on the truck & skid load.

Sincerely

Mike Pederson Chief

Richard W. Olson Asst Chief

CHAPTER 5

Disposal of Surplus Property

3-5-1 Disposal of Surplus City Property

SEC. 3-5-1 DISPOSAL OF SURPLUS CITY PROPERTY.

(a) **Definitions.**

- (1) "Surplus City Property" is that property which is owned by the City of Washburn and which has no further usefulness to the City. An item of property shall be considered to have no further usefulness when:
 - a. The item or its function has been totally replaced by other City property and no probable future function exists for it; or
 - b. The City no longer performs the service for which the item was purchased and no other service can reasonably be provided by the item; or
 - c. The item is no longer able to reliably or economically perform the work required of it.
- (2) Surplus property as defined in this Chapter shall not include land or buildings but shall include fixtures and such salvage as may be taken from a building without structural damage when such fixtures and salvage are not part of a demolition contract. Surplus City property shall not include property which is obtained by the City as a result of abandonment or loss by the property's original owner. Surplus City property shall not include items of property which are traded in for newer items. Surplus City property shall not include library materials used by the public library for lending purposes.

(b) **Determination of Surplus City Property.**

- (1) Whenever an item of City property is determined to be surplus City property on the basis that the City no longer performs the service for which the item was purchased, the Common Council shall determine whether or not the item is surplus City property.
- (2) Whenever the fair market value of the item is more than Five Hundred Dollars (\$500.00), the Common Council shall determine whether or not the item is surplus City property.

(c) **Disposition of Surplus City Property.**

- (1) Whenever the Common Council determines that an item of property is surplus City property, it shall dispose of such property as it determines.
- (2) Whenever the fair market value of an item is more than Five Hundred Dollars (\$500.00) and the Common Council has determined, pursuant to the previous Subsection, that the item is surplus City property, the department head responsible for the items shall dispose of the property by:
 - a. Donation to a nonprofit organization within the City or to a governmental agency; or
 - b. Public auction; or
 - c. Sale by sealed bid; or
 - d. Negotiated sale.
- (3) In the event of a public auction or sale by sealed bid, the item will be sold in "as-is" condition to the person submitting the highest bid provided, however, that a lower bid submitted by a nonprofit organization or

governmental agency may be accepted by the Common Council. The department head responsible for the item shall determine the time in which the successful bidder must remove the item. In the event the item is not removed within that time, the item shall revert to the City and the amount of the bid shall be forfeited to the City. In the event no bids are received, the item shall be disposed of as directed by the Common Council.

- (4) No public auction or awarding of bids shall occur under this Chapter unless a description of the item to be sold and an advance notice of the time and place for such auction or bid submission is first published as a Class 2 notice in the official City newspaper.
- (5) Whenever the fair market value of an item is Five Hundred Dollars (\$500.00) or less and the Common Council has determined, pursuant to the previous Section, that it is surplus City property, the item shall be either disposed of as set forth in Subsection (c)(2) above or destroyed.
- (d) **Determination of Fair Market Values.** Whenever this Chapter requires a determination of the fair market value of an item of property, that determination shall be made by the department head responsible for the property, whose decision shall be final.
- (e) **Authority to Dispose of Property.**
 - (1) Except for library materials used by the public library for lending purposes, only the Common Council may dispose of City property which is not surplus City property.
 - (2) Whenever this Section provides for an auction or other disposition of any property, the Common Council shall be authorized to hire an auctioneer or take such other action as is necessary to properly dispose of the property provided, however, that the fees of such auctioneer and all such costs, other than those for City labor and the use of City property, do not exceed the payment received by the City from the auction or sale of the property.

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: Tony Janisch, Assistant City Administrator *Janisch*
Re: Resolution of Support, DNR Outdoor Recreation Grant Application
Date: April 30, 2020

In partnership with the North Coast Cycling Association (NCCA), the City has submitted a WI DNR Recreational Trails Program Grant application. The purpose of this grant is to resurface the ATV/Snowmobile Recreation Trail with crushed limestone, thus making it more user-friendly for cycling and walking. This grant provides funding for trail projects with a 50% match. The match is occurring through donations of funding and labor secured by NCCA. No costs will be incurred by the City, other than time spent in grant management.

The project title is Washburn Recreation Trail Resurfacing Project, and are seeking \$16,492 of funding, with a total project cost of \$32,988. As part of the application, the DNR is requesting a Resolution of Support from the applicant, the City.

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



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

RESOLUTION #20-008
DNR OUTDOOR RECREATION GRANT APPLICATION

WHEREAS, the City of Washburn is interested in developing lands for public outdoor recreation purposes as described in the application; and

WHEREAS, financial aid is required to carry out the project, and,

THEREFORE, BE IT RESOLVED, that the City of Washburn has budgeted a sum sufficient to complete the project, and,

HEREBY AUTHORIZES Tony Janisch, Assistant City Administrator to act on behalf of the City to:
Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;

Submit reimbursement claims along with necessary supporting documentation within 6 months of project completion date;

Submit signed documents; and Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that the City will comply with state or federal rules for the programs; may perform force account work; will maintain the completed project in an attractive, inviting and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

Adopted by Common Council for the City of Washburn, Wisconsin this 18th day of May, 2020.

Mary D. Motiff, Mayor

STATE OF WISCONSIN)
BAYFIELD COUNTY)

I hereby certify that the foregoing resolution is a true, correct, and complete copy of a resolution duly and regularly passed by the Common Council of the City of Washburn on the 18th day of May, 2020.

Dated this ____ day of ____, 2020.

Scott J. Kluver-Administrator-Clerk

The City of Washburn is an equal opportunity provider, employer, and lender.

**Stewardship Local Assistance, Federal Land & Water
Conservation Fund, & Recreational Trails Program
Grant Application**

Form 8700-191 (R 01/18)

Page 1 of 5

Notice: Use of this form is required by the Department of Natural Resources (DNR) for any application filed pursuant to ss. NR 50.06, NR 50.21, and NR 51, Subchapters XI-XV, Wis. Adm. Code. Personal identifiable information will only be used in conjunction with the programs listed above. If you have any questions contact your local community service specialist. Personally identifiable information provided on this form will be used for program administration and will be available to requesters as required under Wisconsin's Open Records Law [ss. 19.31 - 19.39, Wis. Stats.].

Applicant	Individual Authorized to Act on Behalf of Applicant	
City of Washburn	Tony Janisch	
Street or PO Box	Title	
PO Box 638	Assistant City Administrator	
City, State, Zip Code	Telephone Number	Fax Number
Washburn, WI 54891	(715) 373-6160	(715) 373-6148
County	E-Mail Address	
Bayfield	asstadmin@cityofwashburn.org	

Mail Check to (if different from applicant):

Name	Address		
Organization:	City	State	ZIP Code

Section 1: Project Information						
Project Title: Washburn Recreation Trail Resurfacing Project					Financial Summary	
					Total Project Costs	Grant Request (up to 50%)
					\$32,988	\$16,492
Project Type: (select one) <input type="radio"/> Development <input type="radio"/> Acquisition <input checked="" type="radio"/> Rehabilitation <input type="radio"/> Maintenance					Sponsor Match Sources: Sponsor Funds: Cash \$ _____ Force Account Labor _____ Force Account Equipment _____ Force Account Materials _____ Donations (Non-Governmental) Land \$ _____ Cash \$6,496 Labor \$10,000 Materials _____ Equipment _____ Other _____ \$ _____	
Project Location						
Township	Range	Section	1/4	1/4	County	
48 N	4	6			Bayfield	
GPS Coordinates: 46 deg 40' 02.73" N, 90 deg 54' 20.20" W						
Congressional/Legislative District Numbers						
WI Senate		WI Assembly		US Congress		
25		74		7		
D-U-N-S # 092780055					Total Sponsor Match: \$16,496	

**Stewardship Local Assistance, Federal Land & Water
Conservation Fund, & Recreational Trails Program
Grant Application**

Form 8700-191 (R 01/18)

Page 2 of 5

Project Description

Provide a detail description of the project proposal that includes the primary purpose and goals; description of the project: public access and use; implementation and key partnerships; and operation and maintenance of the project.

This project will provide rehabilitation to the existing ATV/Biking/Snowmobile Recreation Trail within the City of Washburn. The project/trail is approximately 1.5 miles in length; from 2nd Ave W to Summit Ave, the southern City limit. This stretch is a heavily used multi-use trail that follows an original railroad corridor.

Project scope is to resurface the existing trail with Blustone Class 5, a crushed gravel mix, that is four (4) inches deep by eight (8) feet wide through the entire 1.5 mile length.

The project will be implemented in partnership with the North Coast Cycling Association (NCCA) and the City of Washburn. NCCA along with key members of the business community will provide matching funds for this rehabilitation project.

Stewardship Local Assistance, Federal Land & Water
Conservation Fund, & Recreational Trails Program
Grant Application

Form 8700-191 (R 01/18)

Page 3 of 5

Section 2: General Project Information

1. Park/Trail/Recreational Area Name: Washburn ATV/Biking/Snowmobile Trail (i.e. Lakeshore Park, Big Ben Recreational Area, Six Mile Wilderness Trail, etc.)

Total Park Acreage: 3.00 Acreage for this Project: 1.45

- ☒ Project site is undeveloped ☐ Project site is partially developed

2. Are there any underground utility easements or overhead power lines on the property? Explain:
Yes, the trail corridor does include segments with overhead power lines. Additionally, the trail crosses several roadways which contain underground utilities.

3. How will the public access the property? (select all that apply)

- ☒ Roadway ☒ Trail ☐ Adjacent applicant property ☐ By Water
☐ Other _____

4. When will the property or facility be open to the public? The property/trail is currently open to the public.

5. Who is the primary project manager? ☒ Applicant from Page 1 ☐ Other - Specify: _____

6. Who is handling the financial administration of the project? ☒ Applicant from Page 1

☐ Other - Specify: _____

7. Estimated Project Timeline:

Acquisition: Have you already purchased the property? If yes, date _____

If so, have you received a DNR "letter of retroactivity" for the project? ☐ Yes ☐ No

If no, anticipated closing date: _____

Development: Anticipated Start Date 08/01/2020

Anticipated Completion Date 09/30/2020

8. Describe the current project site and use. (Include physical characteristics, topography, vegetation cover type, presence of any waterways/wetlands, current land use and zoning classification, etc.)

The current project site is a recreational trail, and the site will be utilized in the same way.

9. Are there any known controversies/complications with the proposed project? Are there any measures proposed to address the controversies/complications?

No.

10. Has the area been surveyed for endangered and rare species? If yes, explain.

No.

11. Have you discussed the project with your regional DNR Community Services Specialist? ☒ Yes ☐ No

DNR Contact Ed Slaminski

**Stewardship Local Assistance, Federal Land & Water
Conservation Fund, & Recreational Trails Program
Grant Application**

Form 8700-191 (R 01/18)

Page 4 of 5

IF ACQUISITION:12. The landowner (seller) is a(an): ☐ Individual ☐ Developer ☐ Corporation ☐ Other: _____13. Is the property located within the boundaries of another unit of government? ☐ Yes ☐ No
If yes, attach copy of approval resolution from other jurisdiction.14. Is the property currently being leased or rented? ☐ Yes ☐ No

If yes, Date agreement expires: _____

If yes, explain and include copy of the lease.

15. Are there any buildings on the property? ☐ Yes ☐ No

If yes, explain what will be done with them.

16. After (or at the time of) the land purchase, will a conservation easement be executed on the property? ☐ Yes ☐ No

If yes, explain and attach draft easement.

17. Did the seller originally acquire property 3 or less years before expected date of purchase? ☐ Yes ☐ No

If yes, attach copy of seller's deed for potential grant calculation purposes.

18. Will the property be transferred to another eligible sponsor? ☐ Yes ☐ No

If yes, explain and provide the adopting resolution from the accepting sponsor

19. Is seller requiring payment for property over time? ☐ Yes ☐ No

If yes, explain.

IF DEVELOPMENT:20. Does someone other than the applicant from page 1, own the site? ☐ Yes ☒ No

If yes, explain and attach easement or lease document

21. Does the State of Wisconsin own the site? ☐ Yes ☒ No

If yes, explain and attach the land use agreement/memorandum of understanding.

22. What soil disturbance will be occurring on the site and what is the size of the total disturbed area?

Soil will not be disturbed.

Stewardship Local Assistance, Federal Land & Water Conservation Fund, & Recreational Trails Program Grant Application

Form 8700-191 (R 01/18)

Page 5 of 5

Required Application Attachments

Please submit the following documents as attachments to the grant application. Note that some attachments are only applicable to select project types.

Acquisition Project	Development Project	Required Application Attachments
	X	Grant Application (Form 8700-191)
	X	Response to Ranking Questions & Criteria (Form 8700-338)
		Project Resolution from Grant Applicant
	X	Project Location Map
		Project Boundary Map
		Topographical Map
		Legal Description and GPS Coordinates
		Environmental Hazards Assessment Form (Form 1800-001)
	X	Cost Estimate Worksheet (Form 8700-014)
		Estimated Construction/Acquisition Timeline
	X	Site Plan (For Development projects -show facilities to be constructed with grant assistance; for Acquisition projects- identify planned trails or facilities.)
		Remediation Plan and (if available) signed DNR Final Close-Out Letter – Applicable only to projects with brownfields.
		Copy of related grant application and/or grant agreement (applicable only if applicant is proposing a grant as all or part of their local match)
	N/A	Public Access & Acceptable Uses Form (Form 8700-332)
		Appraisal (applicable to all acquisition projects and development projects that propose land donations as match)
		Offer to Purchase (if available)
		Relocation Plan (if applicable)
		Agricultural Impact Statement (if applicable)
		Copy of Seller's Deed (applicable only if seller has owned property for less than three years)
		Approval resolution from jurisdiction in which acquisition property is located (if property to be acquired is located outside of the applicant's jurisdiction)
		Agricultural resource impact determination document from DATCP (applicable only to acquisition projects with agricultural activity on the property)
N/A	X	Copy of Warranty Deed, Draft or Final Easement, Land Use Agreement, or Lease Document
		Required permits, if available
		Map showing the proposed project relative to the related larger trail system (for RTP trail projects only, map should identify roads and bridges).

Certification

I certify that information in this application and all its attachments are true and correct and in conformity with applicable Wisconsin Statutes.

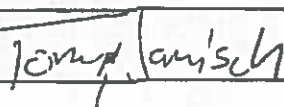
Name of Authorized Representative

Tony Janisch

Title

Assistant City Administrator

Signature



Date Signed

Apr 27, 2020

**LUG, LWCF and RTP Grant Program
Ranking Question & Criteria Responses**
Form 8700-338 (R 2/20) Page 1 of 8

Instructions: Refer to the ranking questions and criteria in the Grant Program Guidance for the Stewardship Local Assistance (LUG), Federal Land and Water Conservation (LWCF) and Federal Recreation Trails (RTP) grant programs. This form may be used to submit the required responses with the application package. Indicate "N/A" for any questions that are not applicable to the project.
Notice: Project selection criteria for these grant programs are developed per Ch. 23, Wis. Stats. NR 51, Wis. Admin. Code, NR 50, Wis. Admin. Code, and provisions of the programs outlined in federal law. Personal information collected on this form will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.].

Project Sponsor	Project Name	County	Date
City of Washburn	Washburn Recreation Trail Resurfacing Project	Bayfield	04/27/2020

If any discrepancies exist between form 8700-338 and published grant guidelines, the grant guidelines shall take precedence.

Section A: All Applicants
All applicants should provide responses to questions in this section.

Eligibility Criteria	Applicant Response	DNR Use Only
1. COMPREHENSIVE OUTDOOR RECREATION PLAN: <ul style="list-style-type: none"> Is the project identified in a Comprehensive Outdoor Recreation Plan that was <i>approved by</i> or which is <i>being developed by</i> the applicant? If not, is the proposed project identified in a Comprehensive Outdoor Recreation Plan approved by or being developed by another applicable local government? Does the project support a goal identified in a Comprehensive Outdoor Recreation Plan approved by the applicant or another unit of government? Does the project support a goal identified in the State Comprehensive Outdoor Recreation Plan? 	<p>This project is identified on page 34 of the Bayfield County Comprehensive Outdoor Recreation Plan which included the City of Washburn recreation plans. The project goal is for resurfacing and grading of the trail as identified in this plan. I feel that this project supports several of the goals identified in the SCORP including: Improve Integration of Outdoor Recreation Interests and Needs in Land Use and Other Relevant Planning Efforts, Continue to Provide and Enhance Public Access to Wisconsin Recreational Lands and Waters, and Establish Great Urban Parks and Community Green Spaces.</p>	
2. LAND MANAGEMENT PLAN (Acquisition Projects Only): The applicant has a plan for long-term management of the property that preserves and enhances its conservation and/or recreational value.	N/A - This is a rehabilitation project.	
3. LEGAL RIGHT TO CONSTRUCT (Development Projects Only): The applicant has the legal right to construct the proposed project and meet post-grant compliance requirements.	N/A - This is a rehabilitation project.	
Tie-breaker Questions	Applicant Response	DNR Use Only
4. GREEN TIER: The applicant is a Green Tier community.	Yes.	
5. RAILROAD CORRIDOR: The project will acquire or develop an abandoned rail corridor for outdoor recreation.	Yes, the existing trail is on an abandoned railroad corridor.	
6. ACCESS TO OTHER OUTDOOR RECREATION FACILITIES: The proposed projects provides access to other existing developed outdoor recreation facilities, such as campground, fishing pier, local park, etc.	Yes, this trail connects with the Tri-County Trail but it also has access points at both Memorial Park & Thompson's West End Park Campgrounds. Both of these campgrounds provide access to Lake Superior and the Lakefront Walking Trail.	
7. SAFE ACCESS: Users have an existing opportunity for safe and legal parking and access to the project site or the proposed project will significantly improve safe and legal access to the site.	Yes, parking is available at various locations along or near the trail including both city campgrounds.	

Project Sponsor	Date
City of Washburn	04/27/2020
Project Name	County
Washburn Recreation Trail Resurfacing Project	Bayfield

LUG, LWCF and RTP Grant Program
Ranking Question & Criteria Responses
Form 8700-338 (R 2/20) Page 2 of 6

Tie-breaker Questions (continued)		Applicant Response	DNR Use Only
8. YCC or Service Corp: Have you entered into a contract or service agreement with a State and/or local youth conservation or service corps to perform construction and/or maintenance on your project?	No.		
Section A (continued) - Ranking Questions		Applicant Response	DNR Use Only
9. COMPREHENSIVE PLAN:			
<ul style="list-style-type: none"> The applicant has or is developing a comprehensive plan for their local jurisdiction (as defined in s. 66.1001 Wis. Stats.) with provisions that support intergovernmental cooperation. (1 pt.) The proposed project is supported by or included in the applicant's comprehensive plan. (1 pt.) 	The City does have a comprehensive plan and this trail is identified in Chapter 5, titled Transportation. Specifically, Objective 5.2 calls to provide an attractive transportation system that offers recreation and economic benefit. Policy 5.2.e calls for the expansion of Washburn's trail system and support regional trail systems as a tourist attraction.		
10. PLANS OTHER THAN CORP OR COMPREHENSIVE PLAN:			
<ul style="list-style-type: none"> The project is referenced in or supports other applicable plans, such as a local green space plan, integrated resource management plan, riverfront restoration plan, water quality plan, or other applicable plan approved by a governmental unit (including DNR Master Plans or State Trail Plans). (1 pt.) For land acquisition projects, the proposed acquisition would contribute significantly to the overall success of an urban river project or comprehensive riverway or lake management plan. (1 pt.) 	No, to my knowledge this project is not listed in other plans.		
11. INTERGOVERNMENTAL COOPERATION: The project is being developed in close cooperation between two separate governmental entities.		Bayfield County supports the maintenance and promotion of this trail.	
12. PROJECT COMPLETION AND PREVIOUS GRANTS:			
<ul style="list-style-type: none"> Applicant has successfully completed all previous Local Assistance, RTP, or LWCF grants. (1 pt.) Applicant did not receive a Local Assistance, RTP, or LWCF grant in application year 2015-2019 (Fiscal Years 2016-2020). (1 pt.) 	Any prior grants associated with this trail have been completed. The City has not received a Local Assistance, RTP, or LWCF grant in the past five years.		
Section B: Local Assistance & LWCF eligible projects only			
Applicants with projects eligible for Local Assistance or LWCF grant should provide a response to these questions; applicants with projects only eligible for RTP grants should answer "NA" to these questions.			
Ranking Questions		Applicant Response	DNR Use Only
13. ECONOMIC BENEFIT:			
<ul style="list-style-type: none"> The project will create opportunities to expand or generate local private-sector outdoor recreation support industries. (1 pt.) 	N/A		
14. PUBLIC-PRIVATE PARTNERSHIP:			
<ul style="list-style-type: none"> The project is being implemented via a public-private partnership established specifically for the intended project. (1 pt.) 	N/A		

Project Sponsor	Date
City of Washburn	04/27/2020
Project Name	County
Washburn Recreation Trail Resurfacing Project	Bayfield

LUG, LWCF and RTP Grant Program
Ranking Question & Criteria Responses
Form 8700-338 (R 2/20) Page 3 of 6

Ranking Questions	Applicant Response	DNR Use Only
15. FINANCIAL SUPPORT: <ul style="list-style-type: none"> • Applicant has identified outside funding sources of least 50% of the applicant's proposed matching funds. (1 pt.) • Applicant has an existing agreement with a non-profit, service, or similar organization that decreases the applicant's costs for ongoing operation and maintenance. (1 pt.) 	N/A	
16. PROJECT IMPACT: <ul style="list-style-type: none"> • The project is the first of its kind for the applicant. (1 pt.) • The project is adjacent to and supports a recreational resource that draws visitors from statewide. (2 pts.) • The project is located within an approved DNR property acquisition boundary or Stream Bank Protection Program acquisition area. (1 pt.) 	N/A	
17. NATURAL HERITAGE INVENTORY (NHI): <ul style="list-style-type: none"> • For acquisition projects: Proposed acquisition includes property on the NHI or otherwise formally recognized. (1 pt.) OR <ul style="list-style-type: none"> • For development projects: Development plans highlight and protect NHI features on the property. (1 pt.) 	N/A	
18. UNIQUE NATURAL FEATURES: <ul style="list-style-type: none"> • For acquisition projects: The proposed project includes acquisition of land with unique aesthetic/scenic value, natural value, ecological value, unique natural features. (1 pt.) OR <ul style="list-style-type: none"> • For development projects: The proposed project includes development of recreational opportunities that support unique natural features and/or scenic highways. (1 pt.) 	N/A	
19. DAM REMOVAL: The project was identified in or supports goals of a DNR-approved dam abandonment plan. (2 pts.)	N/A	
20. URBAN POPULATIONS: The project includes acquisition or development of property in a designated urban/urbanized area or property that is located outside of, but which serves a designated urban/urbanized area. (1 pt.)	N/A	
21. DIVERSE/SPECIAL POPULATIONS: The project will serve the documented needs of diverse/special populations in urban areas. (1 pt.)	N/A	

Project Sponsor City of Washburn	Date 04/27/2020
Project Name Washburn Recreation Trail Resurfacing Project	County Bayfield

LUG, LWCF and RTP Grant Program
Ranking Question & Criteria Responses
Form 8700-338 (R 2/20) Page 4 of 6

Ranking Questions	Applicant Response	DNR Use Only
22. WATER ACCESS: <ul style="list-style-type: none"> The project will significantly improve or expand existing water access for water-based outdoor recreation. (1 pt.) OR <ul style="list-style-type: none"> The project will provide access to a waterbody that is currently not accessible to the public within the applicant's jurisdiction. (2 pts.) 	N/A	
23. BROWNFIELDS: The project involves brownfields redevelopment, as the term is defined in s. 23.09(19)(a)1, Stats. (2 pts.)	N/A	
24. NATURE-BASED OUTDOOR ACTIVITIES: After acquisition, the public will be able to conduct all five designated nature-based outdoor activities on the project property. (2 pts.)	N/A	
25. COMMUNITY GARDENS: The project will provide land for non-commercial gardening activities within or serving residents of urban areas. (1 pt.)	N/A	
26. PROJECT CONTINUITY: <ul style="list-style-type: none"> Applicant has acquired the land for the project without grant assistance. (1 pt.) Applicant has developed some eligible facilities for the project without grant assistance. (1 pt.) 	N/A	
27. PRODUCTS: Project will use products made in Wisconsin from recycled materials. (1 pt.)	N/A	
28. SUSTAINABILITY: Project will use sustainable technology. (1 pt.)	N/A	
29. TIMEFRAME: Land can be acquired within one year or development can be completed within two construction seasons. (1 pt.)	N/A	
30. APPRAISAL: <ul style="list-style-type: none"> The property appraisal is complete. (1 pt.) Applicant has a signed offer-to-purchase or option. (1 pt.) 	N/A	
31. CONNECTIVITY: The applicant will acquire or develop a segment of a linear corridor that connects open natural areas, city parks, water trails, or similar outdoor recreation amenities or serves as a buffer between outdoor recreation property and land with potential for urban development.	N/A	

Project Sponsor	Date
City of Washburn	04/27/2020
Project Name	County
Washburn Recreation Trail Resurfacing Project	Bayfield

LUG, LWCF and RTP Grant Program
Ranking Question & Criteria Responses
Form 8700-338 (R 2/20) Page 5 of 6

Section C: RTP projects only

Applicants with a project that is eligible for RTP grant should provide a response to questions in Section C.
All other applicants should answer "NA" to these questions.

Ranking Questions	Applicant Response	DNR Use Only
32. RTP PROJECT TYPE: <ul style="list-style-type: none"> • Rehabilitation (8 pts.) • Maintenance (7 pts.) • Development (3 pts.) • Acquisition (1 pt.) <p>Note: see pg. 13 for RTP Category Definitions for Scoring</p>	This is a rehabilitation project.	
33. YEAR-ROUND USE: Project includes facilities for year-round use. (1 pt.)	Yes, including ATV, Biking, and Snowmobile.	
34. NUMBER OF COMPATIBLE USES: <ul style="list-style-type: none"> • Motorized Activities = 1 pt if any of the following are allowed on the trail <ul style="list-style-type: none"> - ATV/UTVs - Off-Highway Motorcycles - Snowmobiles • Pedestrian Activities = 1 pt if any of the following are allowed on the trail <ul style="list-style-type: none"> - Cross Country Skiing (ungroomed trails) - Hiking/walking/jogging/running - Inline skating - Photography - Snowshoeing - Wildlife Observation/Bird Watching • Other Activities = 1 pt if any of the following are allowed on the trail <ul style="list-style-type: none"> - Biking - Canoe/kayak access - Cross Country Skiing (groomed) - Horses 	Motorized - ATV, Snowmobile Pedestrian - Hiking/walking/jogging/running, Photography, Wildlife observation/bird watching Other - Biking	
35. RESOLVES CONFLICTS BETWEEN USERS: Proposed trail project will resolve conflict between historically conflicting trail uses. (2 pts.)	This project would not resolve any conflicts.	
36. TRAIL SAFETY: The sponsor has the ability to ensure enforcement and safety for trail users, either directly or through cooperative agreements with non-governmental organizations or other governmental units. (2 pts.)	The Washburn Police Dept. regularly patrols this trail, and the Washburn Emergency Services has off-trail emergency transportation vehicles.	
37. SAFE TRAIL DESIGN: Proposed project does not cross or use any motorized vehicular roads unless the road is closed for motorized use seasonally or is a maintenance only road. Water trails and trailhead only projects receive the point. (1 pt.)	The trail does contain a bridge, roadway crossing and is not completely off road.	

Project Sponsor	Date
City of Washburn	04/27/2020
Project Name	County
Washburn Recreation Trail Resurfacing Project	Bayfield



LUG, LWCF and RTP Grant Program
Ranking Question & Criteria Responses
Form 8700-338 (R 2/20) Page 6 of 6

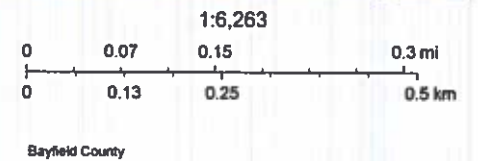
Ranking Questions	Applicant Response	
38. LOCAL DONATIONS AND VOLUNTEER SUPPORT: <ul style="list-style-type: none"> • Project will include donations of labor, materials, and/or equipment from non-governmental entities. (1 pt.) • Donations comprise 25% or more of the total project cost. (1 pt.) 	Donations from non-governmental entities will comprise more than 25% of the project.	
39. DURATION: Trail project is located on public land or on private land where the sponsor holds a land use agreement with a minimum 25-year duration as of the date of application. (2 pts.)	Yes, the trail is a former railroad corridor that the City received in several land transfers (deed of release) from 1934 to 1983. The trail segment also includes a corner parcel of private property.	

City of Washburn, Recreation Trail Resurfacing Project



4/20/2020, 2:35:57 PM

-  - City of Washburn Property and Right-of-Way
-  - Trail Segment for Resurfacing



Project Name:		Prepared By:	Date
Washburn Recreation Trail Resurfacing Project		Tony Janisch	04/27/2020
County	Project Applicant	Landowner Name	<input checked="" type="radio"/> Public
Bayfield	City of Washburn	City of Washburn	<input type="radio"/> Private

Indicate - (C) Contract , (F) Force Acct., (D) Donated					
	DEVELOPMENT PROJECT ITEMS <i>List by individual item or break down by Use Areas (See Item List On Back Of This Form)</i>	Quantity	Unit of Measure	Component Costs	Estimated Total Item Cost
(C)	Surfacing - Blustone Class 5	589	CY	\$28.00	\$16,492.00
(D)	Surfacing - Blustone Class 5	232	CY	\$28.00	\$6,496.00
(D)	Labor - 32 Hours, Bulldozer	1	LS	\$4,000.00	\$4,000.00
(D)	Labor - Spread, Roll, Compact Limestone	1	LS	\$6,000.00	\$6,000.00
TOTALS					\$32,988.00

NOTE: For acquisition projects, complete the Acquisition Project Cost Estimate Section

For use with Recreation Grant Application Forms

ACQUISITION PROJECT COST ESTIMATE			
	Parcel 1	Parcel 2	Total
1. Parcel Owner			
2. Number of Acres being Purchased			
3. Grant Eligible Acres			
4. Option Expiration Date			
5. Option Amount	\$	\$	\$
6. Appraised Value : Land	\$	\$	\$
Improvements	\$	\$	\$
7. Subtotal	\$	\$	\$
8. Estimated Other Eligible Acquisition Costs Total	\$	\$	\$
List costs included in above:	\$	\$	
	\$	\$	
	\$	\$	
9. Grand Total Project Costs: (Add Lines 7 & 8)			

NOTE: If project includes more than two parcels, attach additional information.

DEVELOPMENT PROJECT ITEMS LISTING:

NOTE: This list is intended as a guideline and is not a complete list.

SERVICES

Pre-approval Engineering
 Post-approval Engineering
 Supervision
 Feasibility Studies
 Planning
 Administration

BOATING AREA

Ramp Apron
 Launch Ramp
 Bulkhead/Seawall
 Riprap
 Security Lighting

CAMPSITES

Tables
 Grills/Fire Rings
 Camp Pads (Gravel, Asphalt)
 Refuse Containers

EQUIPMENT

Benches
 Trash Receptacles
 Other (Identify)

FISHING AREA

Fishing Pier
 Bank Stabilization
 Riprap
 Bank Fishing Site

LANDSCAPING

Tree/Shrub Planting
 Sodding/Grass Seed
 Mulch/Fertilizer
 Retaining Walls

OTHER/MISCELLANEOUS

Specify

PARKING

Gravel/Paving
 Curbs/Bumper blocks
 Striping

PICNIC AREA

Tables/Grills
 Trash Receptacles
 Shelters
 General Construction
 Electrical/Water Service

PLAY AREA

Play Equipment
 Equipment Installation
 Surfacing Material

ROADS

Gravel Base/Paving
 Curb and Gutter

SIGNING

Signs
 Posts/Hardware
 Installation
 Walkways/Trails
 Interpretive/Informational
 Parking

SITE PREPARATION

Cleaning/Grubbing
 Rough Grading/Fine Grading
 Fill/Top Soil
 Building Demolition
 Drainage Structures
 Storm Sewers

SPORT COURTS

Tennis
 Sand Lift
 Gravel/Paving
 Fencing

Color Coating

Lighting
 Volleyball
 Basketball
 Hockey Rinks
 Sand/Gravel Base
 Dasher Boards
 Lighting
 Water Hydrant
 Multipurpose Courts

SPORTS FIELDS-should include specific items as shown under Softball.

Softball

Infield Mix
 Backstop/Fencing
 Grass Seeding/Sodding
 Player Enclosures
 Bleachers with Pads
 Lighting
 Sprinkling Sys/Drainage Tile

Soccer/Football

Baseball
 Skating Rinks
 Multipurpose Game Fields
 Sledding/Toboggan Hills

SWIMMING AREA

Beach
 Dredging
 Sand Blanket
 Raft/Pier
 Guard Towers
 Buoys & Ropers
 Bathhouse

Swimming/Wading Pool

Pool Tank
 Filtration Equipment
 Fencing
 Pool Equipment

TOILETS

Flush Toilets
 General Construction
 Plumbing
 Electrical
 Sewer/Water Laterals
 Vault Toilets

TRAILS

Clearing
 Surfacing
 Overview Structures
 Boardwalks
 Culverts
 Bridges
 Grading

UNDERGROUND ELECTRIC

Trenching
 Junction Boxes
 Conduit
 Transformers

WALKWAYS

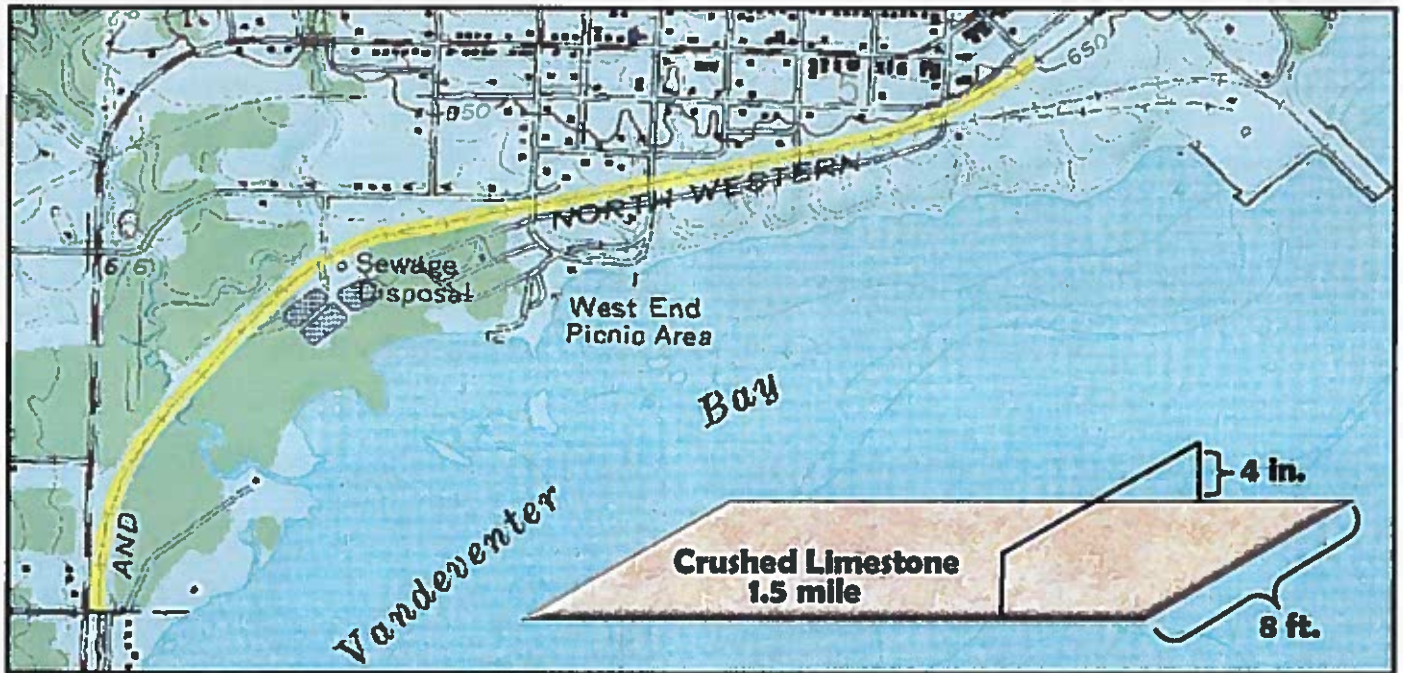
Fill
 Gravel
 Paving
 Culverts
 Bridges
 Curb Cuts

WATER SYSTEMS

Well
 Pump
 Distribution
 Fountains
 Spigots/Hose Bibs

City of Washburn, Recreation Trail Resurfacing Project

Site Plan



This project is to provide rehabilitation to the existing ATV/Biking/Snowmobile Recreation Trail within the City of Washburn. The project/trail is approximately 1.5 miles in length; from 2nd Ave W to Summit Ave, the southern City limit. This stretch is a heavily used multi-use trail that follows an original railroad corridor. Project scope is to resurface the existing trail with Blustone Class 5, a crushed gravel mix, that is four (4) inches deep by eight (8) feet wide through the entire 1.5 mile length.



**2nd Ave W, eastern end,
westward view**



8 ft. width



Washington Ave, eastward and westward views



6th Ave W, eastward and westward views



8th Ave W, westward view



Trail puddling



10th Ave W, eastward and westward views



Thompson Creek Bridge



**Summit Ave, western end,
eastward view**

Washburn Trail Ownership Narrative

04/29/2020

The proposed trail renovation covers portions of the former Omaha and Northwestern Rail right of way (ROW) in Sections 4, 5 and 6 of T48 R 4W of Washburn Wi. This area has hosted a mixed-use trail managed by the City of Washburn and Bayfield County for the last 20 years. Purchase documents support the City of Washburn ownership in most areas. Easements are granted in the western area in Section 6 Lot 3, across the north south transit. Below is a chart with links that summarizes the relevant documents. Given the long history of the area and the history of railroad abandonment, some of the descriptions exclude ROW, however legal rulings have generally established ownership as fee simple title. (SAMUEL JOHNSON 1988 TRUST v. BAYFIELD COUNTY WISCONSIN dated June 17, 2011. This ruling put to rest a series of claims by Bayfield county to these areas: " Therefore, the trust, owners of the fee simple, regained the full use of the land when the railroad track ceased being used." }

Title is established for the trail segments by the below reference documents on file in Bayfield County Land records and property ID numbers available at Bayfield County [property lister site](#):

Project Area/General Description	Document/Reference	Map
1. 2 nd Ave. W to 4 th Ave W; Ref: Document 83215, Deed 11/25/1980, Govt lots 1-4 (part including ROW) Washburn property Id's 373324, 37054	83215 11/25/1980	Section 4 and Part 3, survey map
2. 4 th Ave. W to 8 th Ave W. Sections 4 & 5; Current Washburn ownership listed under the following City of Washburn Property Id numbers: 32615,33115,33012, 34615,33115, 33006,32919,32922	V.122 P. 484 (#114109) 10/2/1934	Section 5
3. 8 th Ave W to Wanabo/Summit: Government Lots 1,2,3 Section 6.	V.141 P.427 (#151724) 6/26/1944 V.141 P.428 (151725) 12/2/1944	Section 6
Adjacent lots to Section 6 Lot 3 with easements on title. 36208 (3 lots) (GOVT LOT 3 LESS RR ROW & LESS N 300' & LESS THAT PART DESC IN V.908 P.340 & LESS S 320')	2018R-572945 5/18/2018 V.158 P.179 (#180129) 6/20/1951	Section 6 detail
Prop Id 36372 (2 lots) (BLOCK 9 LESS 10' GOING N & S ALONG W SIDE & S 320' OF GOVT LOT 3 V.730 P.167)	V.730 P.167 (#440279) 4/3/1998	Section 6 detail
City of Washburn lots 33812,33815 Highway commissioner 33816*	Bayfield County Property list	Section 6 Detail

*Wisdot purchased multiple areas of the Omaha Nebraska from 1977 onward in the Washburn – Bayfield area which were in the Highway 13 right of way areas. These documents contain extensive legal descriptions and are available but not included for purposes of brevity.

Document Descriptions

Doc. #83215 – Purchase Agreement from Chicago, Omaha, Nebraska Rail Road to Washburn 11/25/1980 covering T48.R4W.53,4 multiple lots and Section 32.

Doc V.122 P.484 (#114109) 10/2/1934 Purchase agreement for Section 5 properties by Washburn

Doc. V.141 P. 427 (#151724) 6/26/1944 Sale of Section 6 lots 1,2,3 to Washburn.

Doc. V.141 P.428 (#151725) 12/2/1944 Sale of Lots 14, 15, 16, 17, 29 to Washburn.

Doc. 2018R-572945 – QC Deed Waskuhn with description of RR easement in Section 6 Lot 3.

Doc. V.158 P.179 (#180129) Easement for North South road on Section 6 Lot 3. 1952

Doc. V.730 P.167 (#440279) 4/3/1998 Deed with description of RR easement in Section 6 Lot 3.

Bayfield County Property List – Property listed ownership on Bayfield County Novus property lister.

Roger Aiken

Property specialist for Apostle Highlands Association

715-209-4024 / 715-779-3579

Authorization No: Res. Dated
Nov. 25, 1980

DEED NO. 83215

THE GRANTOR, CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, whose principal office is located at 165 N. Canal Street, Chicago, Illinois, for the consideration of TWENTY THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$20,800.00), conveys and quitclaims to CITY OF WASHBURN, WISCONSIN, GRANTEE, all interest in the following described real estate situated in the County of Bayfield, and the State of Wisconsin, to wit:

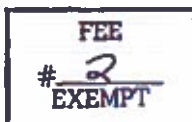
Those parts of Government Lots 1, 2, and 3, the Northwest Quarter of the Northeast Quarter, and the Northeast Quarter of the Northwest Quarter, of Section 5, Township 48 North, Range 4 West of the Fourth Principal Meridian, bounded and described as follows: Commencing at a point on the East line of said Government Lot 2, distant 100 feet Southeasterly, measured at right angles, from the center line of the main track (now removed) of the Chicago, St. Paul, Minneapolis and Omaha Railway Company (now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 5; thence Southwesterly parallel with said original main track center line a distance of 360 feet to the point of beginning of the tract of land herein described; thence continuing Southwesterly parallel with said original main track center line a distance of 1,400 feet, more or less, to a point distant 50 feet Southeasterly, measured at right angles, from the center line of the Lead "Dock" Track, as originally located and established; thence Southwesterly parallel with said "Dock" Track center line a distance of 550 feet, more or less, to a point distant 50 feet Southeasterly, measured radially, from said original main track center line; thence Northwesterly at right angles to the last described course a distance of 50 feet to a point on said original main track center line; thence Southwesterly along said original main track center line a distance of 780 feet, more or less, to a point on the West line of said Government Lot 3; thence Northerly along said West line of Lot 3 a distance of 102 feet, more or less, to a point distant 100 feet Northwesterly, measured at right angles, from said original main track center line; thence Northeasterly parallel with said original main track center line, said parallel line being also (partly) the Southeasterly line of Omaha Street, a distance of 3,250 feet, more or less, to a point distant 103 feet Southwesterly, measured along said Southeasterly line, from the intersection thereof with the Southeasterly extension of the Southwesterly line of First Avenue East; thence Southeasterly at right angles to the last described course a distance of 30 feet, more or less, to a point distant 10 feet Northwesterly, measured at right angles, from the center line of Chicago and North Western Transportation Company (formerly Chicago, St. Paul, Minneapolis and Omaha Railway Company) spur track ICC No. 136 (now removed), as said spur track was located prior to its removal; thence Northeasterly parallel with said (former) spur track center line a distance of 103 feet, more or less, to a point on the Southeasterly line, extended, of said First Avenue East; thence Northwesterly along said Southwesterly line, extended, of First Avenue East, a distance of 30 feet, more or less, to a point on the

347190

Page 1 of 3 Pages

Volume 375 Page 368

347190 8.10 TRK #2



REGISTER'S OFFICE } S.S.
Bayfield County, Wis.

RECORDED AT 4:20 P. M.

ON MAR 30 1983 IN

Vol. 375 of Rec. Page 368-370

Incl.

Otto Korpela

REGISTER OF DEEDS

DEED NO. 83215
 Res. Dated
 Authorization No. Nov. 25, 1980

Southeasterly line of said Omaha Street; thence Northeasterly along said Southeasterly line of Omaha Street a distance of 205 feet, more or less, to a point on the North line of said Section 5; thence Easterly along said North line of Section 5 a distance of 150 feet, more or less, to a point on said original main track center line; thence Southwesterly along said original main track center line a distance of 1,075 feet, more or less, to a point on a line drawn at right angles to said original main track center line through the point of beginning; thence Southeasterly along said last described right angle line a distance of 100 feet to the point of beginning.

ALSO:

That part of the Southeast Quarter of the Southeast Quarter of Section 32, Township 49 North, Range 4 West of the Fourth Principal Meridian, bounded as follows: On the South by the South line of said Section 32; On the Northwest by the Southeasterly line of Omaha Street; On the Southeast by the center line of the main track (now removed) of the Chicago, St. Paul, Minneapolis and Omaha Railway Company (now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 32; And on the Northeast by a line drawn at right angles to said center line at a point thereon distant 455 feet Southwesterly from the intersection thereof with the East line of said Section 32.

Subject to all public roads and highways located on the above described real estate.

Subject to the right of the Grantor, its successors and assigns, to have until June 30, 1983 to enter upon said premises for the purpose of removing track, facilities and appurtenances thereto from said premises and from adjoining premises and until December 31, 1983 for the purpose of removing bridges and bridge materials. If not so removed within said period, they shall be deemed abandoned by Grantor without obligation on Grantor's part and shall thereafter become Grantee's property in place.

Excepting and Reserving, however, unto the Grantor, its lessees, licensees, successors and assigns, the right to continue to protect, maintain, operate, and use any and all existing drainage, driveways, conduits, sewers, water mains, gas lines, electric power lines, communication lines, wires and other utilities, and easements of any kind whatsoever on said premises, including the repair, reconstruction and replacement thereof.

DEED NO. 83215
 Res. Dated
 Authorization No. Nov. 25, 1980

By the acceptance of this conveyance, Grantee, for itself, its successors and assigns, agrees to take all steps necessary, at no expense to Grantor, to comply with any and all governmental requirements relating to land platting and use.

This conveyance is made upon the express condition that the Grantor will not pay any taxes or special assessments which may be due or delinquent upon the real estate hereinabove described.

DATED this 17th day of March, 1983.

Signed, Sealed and Delivered in Presence of:

Chicago and North Western Transportation Company

Mary A. Clancy
Wm. J. Hubert

By Robert W. Mickey **NOTARIAL SEAL**
 Robert W. Mickey, Vice President
 Attest Joan A. Schramm
 Joan A. Schramm, Asst. Secretary

This instrument was prepared by Chicago and North Western Transportation Company, 165 North Canal Street, Chicago, Illinois 60606.

STATE OF ILLINOIS)
 COUNTY OF COOK } SS

I, Richard S. Kennerley, a Notary Public duly commissioned and qualified in and for the County and State aforesaid, DO HEREBY CERTIFY that Robert W. Mickey and Joan A. Schramm, to me personally known and known to me to be, respectively, Vice President and Assistant Secretary of CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, and the identical persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and being first duly sworn by me, severally acknowledged to me that they are, respectively, Vice President and Assistant Secretary of said corporation; that as such officers they signed, sealed and delivered said instrument in behalf of said corporation by authority and order of its Board of Directors, as the free and voluntary act and deed of said corporation, and as their own free and voluntary act; that the seal affixed to said instrument is the seal of said corporation; and that said corporation executed said instrument for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as such Notary Public, at Chicago, Illinois, this 17th of March, 1983.

Richard S. Kennerley
 Notary Public, in and for the County of Cook, in the State of Illinois
 Richard S. Kennerley

My Commission Expires: November 8, 1984



A PARCEL OF LAND LOCATED IN GOVERNMENT LOTS 1, 2 AND 3 OF SECTION 5, T. 48 N., R. 4 W., AND THE SE 1/4 OF THE SE 1/4 OF SECTION 32, T. 49 N., R. 4 W., IN THE CITY OF WASHBURN, BAYFIELD COUNTY, WISCONSIN

THE PURPOSE OF THIS MAP IS TO GRAPHICALLY REPRESENT THE PARCELS OF LAND DESCRIBED IN VOLUME 375 ON PAGES 154-156. SAID PARCELS ALSO BEING DESCRIBED IN VOLUME 375 ON PAGES 286-292. A FIELD SURVEY HAS NOT BEEN CONDUCTED.

THE LEARNING OF THE 1968 1000, 1500 "DODGE" BLOCK, 1968/71 AND 1971/72 ARE APPROXIMATE AND FOR REFERENCE PURPOSES ONLY.

THE LOCATION OF SECTION AND CORNERARY LOT LINES IS APPROXIMATE AND ITS REFERENCE PURPOSE ONLY.

DISCOUNTS SHOWN ARE APPLICABLE AND FOR RESIDENCE PARTIES ONLY. ACTUAL WEATHERMENTS ARE LIKELY TO DIFFER FROM THE ESTIMATES SHOWN.



YOUNG, J. - FIFTY YEARS OF THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION

Twice 5th = Second Place (Entered on Vol. 179 pg. 104-106)

201 100 100/100
 100 100 100 - 100 100
 100 100 100

DRAFTED BY: P. HOLLAND
 FILED IN: 100-441600-1000
 DATE: 08-08-2008
 PAGES: 072, 115, 081

CLIENT: NORTH COAST CYCLING (R. ADEN)

**NELSON
SURVEYING
INCORPORATED**

101 W MAIN STREET
SUITE 100
ASHLAND, WISCONSIN 54806
(715) 682-2882
FAX: (715) 682-3100

Map T48 R4 W, Section 4



#114109

H. F. Brown, et ux.

To

City of Washburn

Quit Claim Deed,

Filed for record,

Oct. 2, 1934, at 2:25 P.M.

THIS INSTRUMENT, Made by H. F. Brown and Helen Brown Brown, his wife, grantors, of Bayfield County, Wisconsin, hereby quit-claims to the City of Washburn, grantees, of Bayfield County, Wisconsin, for the sum of ONE DOLLAR and other valuable considerations the following tract of land in Bayfield County, State of Wisconsin:

All that part of Government Lot Three (3), Section Five (5), Township Forty-eight (48) North, of Range Four (4) West, lying southerly of a line drawn parallel with and 50 feet distant southerly, measured at right angles, from the center line of the main track of the Chicago, Saint Paul, Minneapolis and Omaha Railway Company and track leading to dock property.

Also all that part of Government Lots One (1) and Two (2), said section, township and range, described as follows: Beginning at a point on the west line of said Lot Two (2) which is 50 feet distant southerly, measured at right angles, from the center line of said track leading to dock property; thence easterly, parallel with and 50 feet distant from said center line, 1155 feet; thence on an angle to the right of 47° for a distance of 350 feet, more or less, to the shore line of Chequamegon Bay; thence westerly along said shore line to said west line of said Lot Two (2); thence north along said west line to place of beginning.

Also all that part of Government Lot One (1), said section, township and range, described as follows: Beginning at a point on the west line of said lot which is 50 feet distant southerly, measured at right angles, from the center line of the main track of said railway company; thence northeasterly, parallel with and 50 feet distant from said center line, to the southwesterly line of First Ave. E.; thence southeasterly along said line of First Avenue East, 875 feet; thence on an angle to the right 68° for a distance of 380 feet, more or less, to a point which is 50 feet distant northeasterly from the center line of said track leading to dock, measured at right angles to the tangent of the curve at said point; thence westerly, parallel with and 50 feet distant northeasterly from said center line, to said west line of said Government Lot One (1); thence north along said west line to place of beginning.

Also all that part of Government Lot One (1), said section, township and range, described as follows: Beginning at a point on the northeasterly line of First Avenue East which is 50 feet distant southerly, measured at right angles, from the center line of the main track of said railway company; thence southwesterly along said northeasterly line of First Avenue East, 920 feet; thence on an angle to the right of 68° for a distance of 365 feet; thence southeasterly, at right angles, a distance of 36 feet, more or less, to the shore line of Chequamegon Bay; thence northeasterly along said shore line to the east line of said Government Lot One (1); thence north along said east line to the north line of said lot; thence west on the north line of said lot to a point which is 50 feet distant southerly, measured at right angles, from the center line of the main track of said railway company; thence southwesterly, parallel with and 50 feet distant from said center line, to place of beginning.

Also all that part of the Southeast Quarter (SE $\frac{1}{4}$) Southeast quarter (SE $\frac{1}{4}$) of Section Thirty-two (32), Township Forty-nine (49) North, of Range Four (4) West, lying southeasterly of a line drawn parallel with and 50 feet distant southeasterly from the center line of the main track of said railway company.

All as shown in green color on the plat recorded in Volume ____ of Deedbook Page ____.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals this 25th day of September, A. D., 1934.

Signed and Sealed in Presence of

Ivadeall McDonald

Edith E. Pearson

H. F. Brown (Seal)

Helen G. Brown (Seal)

STATE OF WISCONSIN, }
Bayfield County., } ss.

Personally came before me, this 25th day of September, A. D., 1934, the above named H. F. Brown and Helen Brown, his wife -- to me known to be the persons who executed the foregoing instrument and acknowledged the same:

(Notarial Seal)

Edith E. Pearson
Notary Public, Bayfield County, Wis.
My Commission expires 12-9 A.D., 1934

114127

John Kranzfelder and Maude Kranzfelder,
his wife

To

Agnes M. Nelson

Quit Claim Deed

Filed for Record

Oct. 4, 1934 at 1 o'clock P. M.

THIS INDENTURE, Made this 19th day of September, A. D., 1934, between John Kranzfelder and Maude Kranzfelder, his wife parties of the first part, and Agnes M. Nelson party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One (\$1.00) and other valuable considerations Dollars, to them in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released and quit-claimed, and by these presents do give, grant, bargain, sell, remise, release and quit-claim unto the said party of the second part, and to her heirs and assigns forever, the following described real estate, situated in the County of Bayfield State of Wisconsin, to-wit:

Section Twenty one (21), Township Fifty one
(51), Range Five (5).

To have and to hold the same, together with all and singular the appurtenances and privileges thereunto belonging or in any wise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said parties of the first part, either in law or equity, either in possession or expectancy of, to the only proper use, benefit and behoof of the said party of the second part, her heirs and assigns FOREVER.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals this 19th day of September, A. D., 1934.

Signed and Sealed in Presence of

J. P. O'Malley

Geo. S. Hofels

John Kranzfelder (seal)

Maude Kranzfelder (seal)

STATE OF WISCONSIN, }
Bayfield County., } ss.

Personally came before me, this 19th day of September, A. D., 1934, the above named John Kranzfelder and Maude Kranzfelder, his wife to me known to be the persons who executed the foregoing instrument and acknowledged the same

(Notarial Seal)

J. P. O'Malley
Notary Public --- County, Wis.,
My commission expires --- A. D. 19-

--- 1937.

Map T48 R4 W, Section 5, Gov. Lot 3,4



NUMBER

151221

This Indenture, Made this 26th day of June in the year of our Lord one and
 three hundred and thirty-five
 between the County of Springfield, State of Missouri,
 and City of Warburg part of the first part.

WITNESSETH, That the said party Y at the first part, for and in consideration of the sum of Two thousand five hundred and no cents (\$2,500.00), full of & to the said County of Dayfield, State of Wisconsin, party of the first part, in hand paid by the said party X of the second part, the receipt whereof is hereby confessed and acknowledged, s.a.k. given, granted, bargained, sold, remised, released and quit-claimed, and by these presents ~~made~~^{gave}, grant, bargain, sell, remise, release and quit-claim unto the said party Y of the second part, and to his heirs and assigns forever, all that interest in the following described Real Estate, situated in the County of Dayfield, State of Wisconsin, to-wit:

Plot Lake Area (1), Area (2), & Phase (3) has R. B. Rights
of way, Section 16 (4), Township 17 N., Range
14 E., 1st.

This def. is cited in accordance with a resolution adopted by the Board of Supervisors of the County of Cayuga, at a meeting held May 2, A.D. 1844. Said resolution being recited on page 562 of volume VIII Journal.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said part 4 of the first part, either in law or equity, either in possession or expectancy, to, the only proper use, benefit and behoof of the said part 4 of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, the said part 4 of the first part has been signed and sealed and delivered in the presence of me and two other competent persons who are able to read and write and are not parties to the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is the author of the above written instrument and are not interested in the same and are not under any obligation to act as witnesses for the party who is</

Signed and Sealed in Presence of

Bernice Gault
Gladys K. Hale

Gladys K. Hale

STATE OF WISCONSIN.

County of Bayfield County.

[Handwritten signature]

Be It Remembered, that on the 25th day of June

the above named Erudwig Tammann, County Clerk

to me known to be the person who executed the foregoing instrument and acknowledged the same at the Springfield County office at and filed in the record and returned to me as follows:

Reviewed for Record this

Sept. A. D. 1944, at 11:42 a'clock P. M.

W. L. H. H. H.
BOSTON, MASS.

REGISTER OF DEEDS

• **Prevalence** – the proportion of a population that has a disease at a particular point in time

The County of Bayfield (COUNTY)
By Ludwig Besenval County Clerk. (CLERK)

(STATE)

By Ludwig Krenzel County Clerk.

_____ (H.K.A.L.)

4888

_____ (SEAL)

... 20th Dec 1941

1877

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group and the experimental group. The control group was divided into two subgroups: the control group and the control group. The experimental group was divided into two subgroups: the experimental group and the experimental group. The control group was divided into two subgroups: the control group and the control group. The experimental group was divided into two subgroups: the experimental group and the experimental group.

pledged the same to the Springfield Courier for an

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

47 Vol. 2, p. 11

~~Ex. 11. Glass Library Table~~
Pencil Writing

Home Phone Calverley - 4-6-45 Comm - 714

11

My Commission expires _____ A-7-78_____

428 V141

County of Bayfield The Court City of Washburn

STATE OF WISCONSIN - FORM No. 11

NUMBER 151725

This Indenture, Made this 2nd day of November in the year of our Lord one thousand nine hundred and forty one between the County of Bayfield, State of Wisconsin

and City of Washburn

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Hundred Eighty eight and 00/100 Dollars to the said County of Bayfield, State of Wisconsin, party of the first part

in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released and quit-claimed, and by these presents do give, grant, bargain, sell, remise, release and quit-claim unto the said party of the second part, and its heirs and assigns forever, the following described real estate, situated in the County of Bayfield, State of Wisconsin, to-wit:

Lot 1, Section 10, T. 14 N., R. 10 W., S. 2 E., 1st 1/2

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges therunto belonging or in anywise therunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, either in possession or expectancy of, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has caused this deed to be executed and its seal affixed, this day and year first above written.

Signed and Sealed in Presence of

Beulah M. Piestrich, Thomas Nelson, Bayfield County Seal, Ludvig Thorsen, County Clerk

STATE OF WISCONSIN, County of Bayfield, Clerk

the above named Ludvig Thorsen, County Clerk

to me known to be the person who executed the foregoing instrument and acknowledged the same to be Bayfield County Seal

Received for Record this 5 day of Sept A. D., 1941 at 11:42 a.m. Notary Public, My Commission expires A. D., 1942

Notarial Seal

My Commission expires A. D., 1942

State Bar of Wisconsin Form 3-2003
QUIT CLAIM DEED

Document Number

Document Name

THIS DEED, made between John D. Washkuhn and Marcia K. Washkuhn,
husband and wife

("Grantor," whether one or more), and John D. Washkuhn and Marcia K.
Washkuhn, Trustees, or their successor(s) of the John D. and Marcia K.
Washkuhn Revocable Trust dated April 30, 2018

("Grantee," whether one or more).
Grantor quit claims to Grantee the following described real estate, together with the
rents, profits, fixtures and other appurtenant interests, in Bayfield
County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):
See Attached

* 2018R-572945 2 *

2018R-572945

DENISE TARASENICZ
BAYFIELD COUNTY, WI
REGISTER OF DEEDS
05/18/2018 09:30AM
IF EXEMPT #: 16
RECORDING FEE: 30.00
PAGES: 2

Recording Area

Name and Return Address
Gregory S. Bonney
Johns, Flaherty & Collins, S.C.
205 Fifth Avenue South, Suite 600
La Crosse, WI 54601

Part of 291101502000

Parcel Identification Number (PIN)

This is homestead property.
(is) (is not)

This transfer is exempt from fee pursuant to Wis. Stats. 77.25(16).

Dated April 30, 2018

(SEAL) John D. Washkuhn (SEAL)

(SEAL) Marcia K. Washkuhn (SEAL)

• John D. Washkuhn
• Marcia K. Washkuhn

AUTHENTICATION

Signature(s)

authenticated on _____

ACKNOWLEDGMENT

STATE OF WISCONSIN

) ss.

GREY CROSSE COUNTY)

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:
Gregory S. Bonney, Johns, Flaherty & Collins, S.C.
205 5th Ave. So., Ste. 600, La Crosse, WI 54601

Personally came before me on April 30, 2018

the above named John D. Washkuhn and Marcia K.

Washkuhn

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

• Gregory S. Bonney

Notary Public, State of Wisconsin

My commission (is permanent) (expires) _____

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.
QUIT CLAIM DEED 02003 STATE BAR OF WISCONSIN

*Type name below signatures.

FORM NO. 3-2003

INFO-PRO™ Legal Forms • (800) 955-2021 • info@proforma.com

**ATTACHMENT TO QUIT CLAIM DEED
LEGAL DESCRIPTION**

Lots 1, 2, 3, 4, and 5, Block #10, and Lot #6, Less W. 10 ft., Washburn Real Estate and Investment Co., 1st Add., City of Washburn, Bayfield County, Wisconsin.
Parcel No.: 04-291-2-48-04-06-3 00-313-49000

Lots #1 and #2, Block #11, Washburn Real Estate and Investment Co., 1st Add., City of Washburn, Bayfield County, Wisconsin.
Parcel No.: 04-291-2-48-04-06-3 00-313-50000

No. 100 ft of S. 420 ft. of Govt. Lot 3, Sec. 6, T. 48 North of R. 4 West, Bayfield County, Wisconsin.
Parcel No.: 04-291-2-48-04-06-3 05-003-40000

Lot #3, Sec. 6, T. 48 N. of R. 4 West. Less Railroad ROW, less So. 320 ft. as described in 155/598; less N. 300 ft. desc. 158/179.

EXCEPT a parcel of land located in part of Government Lot Three(3), Section Six (6), Township Forty-Eight (48) North, Range Four (4) West, in the City of Washburn, Bayfield County, Wisconsin.

Commencing at the South $\frac{1}{4}$ of Section 6, Thence N 02°43'56" W 820.12; along the N-S $\frac{1}{4}$ line of said Section to the Point of Beginning. Thence N 02°43'56" W 165.89; thence N 89°18'20" E 925.89 to a point S 89°18'20" W 52.00 +/- from the waters edge; thence S 04°09'34" E 166.09 to a point S 89°18'20" W 65.00 +/- from the waters edge; thence S 89°18'20" W 930.03 to the Point of Beginning. Above described parcel includes that land between the waters edge and the meander line of Lake Superior.
Parcel No.: 04-291-2-48-04-06-3 05-003-20000

Harry Peterson
WARRANTY DEED.—Vol 113

TO *Comp* Irvin & Anderson and Wife
STATE OF WISCONSIN—FORM No. 9

NUMBER
#180129

This Indenture, Made by Harry Peterson, a single man

grantor - .of Ashland County, Wisconsin, hereby conveys and warrants to
Irvin E. Anderson and Irene Anderson, husband and wife, as joint tenants,
grantee s. of Bayfield County, Wisconsin, for
the sum of One-Dollar (\$1.00) and other valuable considerations
the following tract of land in Bayfield County, State of Wisconsin:

The North three-hundred (300) feet of Government Lot Three (3), Section six (6)
Township Forty-eight (48), Range Four (4) West, Bayfield County, Wisconsin.

Said grantees to have easement on old railroad grade now being used as road running
in a northerly and southerly direction, crossing entire Government Lot Three (3), to be
used by said grantees and adjoining parties.

(U. S. Revenue Stamps \$55 Cancelled)

IN WITNESS WHEREOF, the said grantor - he s. hereunto set his hand - and seal - this 20th day of June . A. D., 19 51 .

Signed and Sealed in Presence of
Levi Lysager } Harry Peterson (SEAL)
Levi Lysager } Harry Peterson (SEAL)
Fern Lysager }
Fern Lysager }
STATE OF WISCONSIN, }
Ashland County, } ss. (SEAL)

Personally came before me, this 20th day of June . A. D., 19 51 .
the above named Harry Peterson, a single man

to me known to be the person - who executed the foregoing instrument and acknowledged the same.

Received for Record this 27 day of June A. D., 1951 at 8:30 o'clock A.M.
Earl Pedersen Register of Deeds.
Deputy.



Levi Lysager
Notary Public, Bayfield County, Wis.
My Commission expires 10-19 . A. D., 1952

440279

STATE BAR OF WISCONSIN FORM 2 - 1982
WARRANTY DEED

DOCUMENT NO.

Charles B. Polich and Janette A. Polich,
husband and wifeconveys and warrants to Vaughn E. Spurlock and Brenda
D. Spurlock, husband and wife, as
survivorship marital propertythe following described real estate in Bayfield County,
State of Wisconsin:

The South 320 feet of Government Lot Three (3), Section Six (6), Township Forty-eight (48) North, Range Four (4) West; and Block Nine (9) of Washburn Real Estate and Investment Company's First Addition to Washburn, LESS a strip of land 10 feet wide running northerly and southerly on the West side of Block 9, City of Washburn, Bayfield County, Wisconsin.

TRANSFER FEE

\$ 480.00

FEE EXEMPT

This Is Not homestead property.
(Is not)
Exception to warranties:Dated this 12 day of March, A.D., 1998

(SEAL)

(SEAL)

Charles B. Polich

(SEAL)

• Charles B. Polich• Janette A. Polich

(SEAL)

• Janette A. Polich

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____, 19____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not,
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

John F. Anderson #1017054 (ap)122 West Bayfield St., Washburn, WI
(Signatures may be authenticated or acknowledged. Both are not necessary.)

* Names of persons signing in any capacity should be typed or printed below.

WARRANTY DEED

STATE BAR OF WISCONSIN
Form No. 2 - 1982VOL 160 OF REC PAGE 167Otto Korpela

REGISTER OF DEEDS

'98 APR 3 PM 2 08

REGISTER'S OFFICE/S.S.
BAYFIELD COUNTY, WIS.

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS

Route 2 Box 313A
Washburn WI 54891
WTB-4513 WTpd 10.00Tk 480.00 Pa

WTB-4513

PARCEL IDENTIFICATION NUMBER

ACKNOWLEDGMENT

Texas
State of Wisconsin,
County _____HidalgoPersonally came before me this 12 day of
March, 1998, the above namedCharles B. Polich and Janette
A. Polichto me known to be the person is who executed the foregoing
instrument and acknowledge the same.Myrna Barmiento

MYRNA BARMIENTO

Notary Public

STATE OF TEXAS

My Comm. Exp. Dec 18, 2001

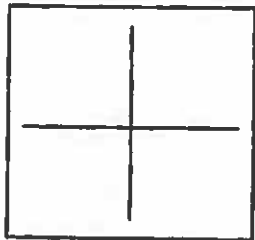
Notary Public,
My commission is permanent. (If not, state expiration date: _____)Dec 1919 01Washburn Legal Blank Co., Inc.
Marshfield, Wis.

Map T48 R4 W, Section 6, Gov. Lot 1,2,3



Recreational Walking & Bike Trail Access Permit

I give permission for a public outdoor recreation trail that will cross over my property in the _____ 1/4 _____ 1/4, or Lot # _____, Section _____, Township _____ N, Range _____ W, further described as follows: (Complete legal description required)



This space reserved for recording data

The described property can be used for the purpose of biking and walking for the months of May-October each year.

The permittee is the North Coast Cycling Association.

This agreement allows the permittee to maintain a 16 foot wide corridor across the above described lands for the purpose of an outdoor recreation trail for walking and pedal bikes.

The permittee shall maintain the area under permit in a safe condition during said use and have the following rights:

- 1) To post such signs along the corridor which are deemed necessary to ensure safety and achieve full use and enjoyment of the trail.
- 2) To brush and keep the corridor free of fallen or leaning trees or other debris that could restrict safe traveling. Ownership of any trees cut remains with the landowner.
- 3) To groom the grass on trail or surface soil as to allow smooth traveling over corridor.

This permit shall become effective at the time of signature by owner and shall continue until terminated by either owner or permittee. The owner or permittee may terminate this agreement by giving written notice to the other party by January 1 for the upcoming season. Failure to provide notice by this date constitutes approval for the agreement to continue in effect for another year.

WISCONSIN RECREATIONAL USE STATUTE 895.52 ELIMINATES THE LANDOWNER OF LIABILITY FOR THIS USE

Verne A. Pratt

Property Owners Name (Please Print)

Kathy Wolfram-Moran ROA

Property Owner's Signature

4/17/2020

Date

6424 Summit Ave. Washburn

Address

City

WI 54891

State

Zip

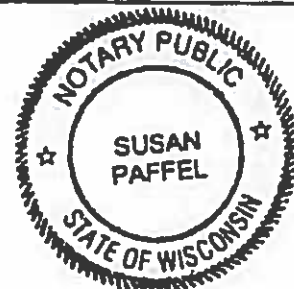
Subscribed and sworn to before me

This 17 day of April, 2020

Susan Paffel
Notary Public, State of Wisconsin

My Commission expires Dec. 13, 2023

Easement obtained by:



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: ^{SSK} Scott J. Kluver, Administrator
Re: Attorney Contract Renewal
Date: May 6, 2020

Enclosed you will find the proposed attorney contract for another 2-year period. There are no proposed changes to the contract otherwise, including the fees.

I recommend approval of the contract. If the Council would disagree, the provisions that are disagreeable would need to be negotiated, or would need to begin a solicitation process for a new attorney.

Please let me know if you have any questions related to this contract.

CITY ATTORNEY AGREEMENT

This Agreement is made and entered into by the City of Washburn, a Wisconsin municipal corporation, 119 Washington Avenue, P.O. Box 638, Washburn, WI 54891, and Dallenbach, Anich & Wickman, S.C., 220 Sixth Avenue West, P.O. Box 677, Ashland, WI 54806, at the City of Washburn on the date of the last signature set forth below.

WHEREAS, the Mayor of the City of Washburn has appointed the Attorney to serve as the City Attorney for the City of Washburn for a two-year term, and the Common Council of the City of Washburn has confirmed the appointment;

NOW, THEREFORE the parties agree as follows:

1. Definitions. In this Agreement, "City" means the City of Washburn, acting by and through its Common Council. "Attorney" means Dallenbach, Anich & Wickman, S.C. "City Attorney" has the meaning set forth in sec. 62.09, Wisconsin Statutes with Max T. Lindsey acting as primary counsel to the City.

2. Appointment. The City appoints the Attorney to serve as its City Attorney pursuant to Section 2-3-4, Code of Ordinances, City of Washburn, Wisconsin, and the Attorney agrees to serve as the City's City Attorney.

3. Term. The term of the Attorney's appointment as City Attorney shall be from April ~~21~~¹⁷, 2020~~18~~ through April ~~18~~²⁰, 2022~~0~~ with the understanding that Siegler Law Office, S.C. will be primary attorney until May 25, 2018.

4. Duties.

(a) General duties. The Attorney shall have the duties of the City Attorney as set forth in sec. 62.09(12), Wisconsin Statutes, and Section 2-3-4, Code of Ordinances, City of Washburn, Wisconsin, except for those legal duties assigned by the City to special counsel pursuant to sec. 62.09(12)(g). Sec. 62.09(12), Wisconsin Statutes, provides as follows:

(12) Attorney.

(a) The attorney shall conduct all the law business in which the city is interested.

(c) The attorney shall when requested by city officers give written legal opinions, which shall be filed with the clerk.

(d) The attorney shall draft ordinances, bonds and other instruments as may be required by city officers.

(e) The attorney shall examine the tax and assessment rolls and other tax proceedings, and advise the proper city officers in regard thereto.

(f) The attorney may appoint an assistant, who shall have power to perform the attorney's duties and for whose acts the attorney shall be responsible to the city. Such assistant shall receive no compensation from the city, unless previously provided by ordinance.

(g) The council may employ and compensate special counsel to assist in or take charge of any matter in which the city is interested.

(b) Direction. The parties understand and agree that the City Attorney's client is the City of Washburn, acting by and through its Common Council as a whole. The City may direct the work of the City Attorney through the Common Council acting as a whole, and also delegates its authority to direct the work of the City Attorney to the Mayor, the City Administrator/Clerk, Treasurer, and the Police Chief.

5. Compensation.

(a) Ordinary fee. The City shall pay the City Attorney a fee of \$2,500 for each month. Payment shall be made in advance no later than the second Tuesday of each month. The City understands and agrees that the Attorney is setting aside and reserving time for City business and is billing the City at a significant discount from the Attorney's regular rate, and therefore the City will pay the fee set out in this paragraph each month even if the City does not require the Attorney's services for the entire 20 hours allowed pursuant to Par. 5(b), below.

(b) Ordinary time. The Attorney shall provide up to 20 hours of legal services each month for the fee stated in Paragraph 5(a), above. Time is charged to the next tenth of the hour. All time spent on legal matters for the City shall be charged against this time allocation, including but not limited to meeting times; time for consultations, whether by phone or in person, with the Mayor, Council members, Clerk, City Administrator, department heads, and other employees; time spent reading and replying to mail and email; research and drafting of ordinances, policies, contracts, and other business or litigation documents; time spent investigating matters and preparing for hearings, trials, and other

proceedings and time spent attending such proceedings; and time spent meeting, talking to, or negotiating with other parties with whom the City has business. Time spent in travel to and from Washburn shall not be counted against the 20 hour allocation. The City Attorney shall charge only for time reasonably related to matters properly referred to him under Par. 4(b).

(c) Time statements. The Attorney shall submit to the City a statement of time spent each month no later than the tenth day of the following month.

(d) Extra services. Time spent by the Attorney in excess of 20 hours per month shall be paid by the City as follows: \$125 per hour for the next thirteen hours worked; \$150 per hour thereafter. The Attorney will include billings for extra services with the time statements submitted pursuant to Paragraph 5(c), above, and the City will pay for such extra services within 30 days of billing.

(e) Costs. In addition to fees, the City shall reimburse the Attorney for all costs incurred in providing services to the City, including but not limited to postage and delivery services (except for anything sent by standard mail), long distance phone calls and long distance faxes, photocopies over 100 pages, fees charged by courts and other public agencies, witness fees, service costs, other costs associated with litigation, and mileage at the current federal rate, provided that mileage will never be charged between Washburn and Ashland. The City will also pay the registration fee not to exceed \$300 of the League of Wisconsin Municipalities annual Legal Institute, or at the Attorney's request, the same amount for other continuing legal education related to municipal issues. In the event the Attorney represents other municipal clients, this fee will be distributed accordingly. Photocopies made in-house at the Attorney's office are charged at 10 cents per page after the first 100 pages. On occasional large copy jobs the Attorney will determine if the City wishes to do the copying in-house, or will job out the copying if it can be done at a lower rate. The Attorney will include billings for costs with the time statements submitted pursuant to Paragraph 5(c), above, and the City will pay for such costs within 30 days of billing.

6. Independent contractor status. The Attorney shall at all times be an independent contractor of the City and not an employee.

7. Declination of service. The Attorney reserves the right to decline to perform a particular service if in his opinion to do so would require a violation of any law or any rule of professional responsibility.

8. Termination. This Agreement may be terminated by either party upon 60 days written notice to the other, provided that notice of termination by the City shall follow compliance with the requirements of sec. 17.12, Wis. Stats., and upon such termination, the Attorney shall be compensated as provided herein, and

provided that upon termination by the Attorney, the Attorney shall not jeopardize any on-going legal action.

CITY OF WASHBURN
By:

Dallenbach, Anich & Wickman, S.C.
By:

Mary D. Motiff
Mayor

Date

Max T. Lindsey
Attorney at Law
State Bar No: 1112865

Date

Scott J. Kluver
Clerk

Date

7

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, ^{SK}Administrator

Re: Request to Lower Alcohol License Fees

Date: May 6, 2020

Enclosed you will find a request to lower the fees on the upcoming renewal of alcohol and bartender licenses to the minimums required under state law. This is an action that some communities have taken around the state, and others have not. Some communities have reduced fees in half or used some other methodology such as planning to pro-rate by the number of months the establishments have been closed. There is no magic formula, and some communities across the state have far more competition for available licenses. Washburn has one "Class B" (Liquor consumption on site) license available and no reserve licenses.

The current fees that the City of Washburn charges and the state minimums are listed below (I have included more details from the Department of Revenue in you packet).

	Washburn	State Minimum
Class "A" Beer Sale only	\$110	\$0
Class "B" Beer Consumption	\$100	\$0
"Class A" Liquor Sale only	\$350	\$50
"Class B" Liquor Consumption	\$450	\$50
"Class C" Wine	\$100	\$0
Operator (Bartender) License 2-year	\$ 35	\$0
Cigarette Licenses	\$ 50	\$5
Publication Fees	\$Actual Cost	

For 2020, the City budgeted an anticipated \$6,650 in revenue. While it may not seem like a lot, it is typically more than the City gets in new property tax revenue based on our historic rate of growth. At the same time, many of our local businesses are going through an unprecedented hardship. If the City would waive the fees and go to the minimum, I calculate that the revenue received would be \$315 plus whatever revenue we have received for operator licenses issued already this year. Basically, I estimate the City would be \$6,000 short on revenue if the minimums are adopted. Now, a single \$6,000 shortfall we could reasonably absorb without much impact; however, I am looking at revenue shortfalls in other areas.

The City of Washburn is an equal opportunity provider, employer, and lender.

Room tax will be reduced, but that will have a far more significant impact on the Chamber of Commerce as opposed to the City under the current formula (90 percent to Chamber/ 10 percent to City). I am anticipating at \$3,500 loss to the City in this area. I am anticipating a \$10,000 loss in interest revenue on our investments. If the City is not able open the campgrounds as anticipated at the end of the month, we are looking at significant revenue losses upwards of \$200,000 on the operating budget side with additional losses to the Park Designated Fund for projects and improvements. The potential campground revenue losses are what I am most concerned about, and I am preparing staffing recommendations to cover for the potential loss of revenue. Even if the campgrounds do open, I anticipate campground utilization will be down. We have already lost at least \$10,000 in campground revenue. The only positive news on the budget side is that we have \$10,000 more in transportation aids than anticipated since the budget was adopted.

I am not unsympathetic to the plight of the businesses and recommend a middle ground. I do believe that the operator license fees should be maintained as that license goes with the person and is valid for two-years. The other licenses should either each have a set minimum fee for this year, or should be based on a percentage reduction.

Some businesses with alcohol licenses have taken advantage of the loan program the City has offered, and some have not.

Please let me know if you have any questions regarding this issue.

Dear Washburn City Council,

I am writing on behalf of all liquor license holders in Washburn. First, let me say, we understand the city is suffering a financial hardship in this unprecedented time.

As you all are aware The Restaurants and Bars in Ashland and Bayfield Counties have been shut down since 5pm on March 17th. Governor Evers latest Extension will put us closed until May 26th the Tuesday **AFTER** Memorial Day. That will be a total of 70 days, including St. Patrick's Day, Easter, Mother's Day, and the season starting Memorial Day weekend. We were all left with bills and payroll and no income to pay them.

Some of us have been able to do Carryout orders, but this is nowhere near enough revenue to keep our businesses going. Unfortunately, not all liquor license holders have food forcing them to be shut down completely.

Considering these issues, I am asking on behalf of your small business community that the City Council consider placing on an upcoming agenda the following items:

- Lowering the renewal of existing class b liquor license to \$50, the lowest amount allowed by state statute.
- Waive the renewal fee for class b beer license
- Waive the renewal fee for any amusement license that your municipality may have.
- Waive renewal fees for existing operators license
- Waive the renewal fee for any municipal business or cabaret license

This may not seem like a lot of money to you, but every little bit helps to our small struggling businesses in Washburn. Thank you for your time; if you have any questions please feel free to contact me.

Sincerely,

Dan Doman

The Snug

Ashland Bayfield County Tavern League

- Six-month "Class A" or "Class B" intoxicating liquor and "Class C" wine licenses may be issued for any six-month period in a calendar year at 50% of the regular annual fee, but such licenses may not be renewed during the calendar year. (sec. 125.51(9)(b))

9. FEES

Annual fees are determined by the municipality up to the maximum amount listed below.

- Provisional retail license – \$15 (sec. 125.185)
- Beer Class "A" retailer licenses – any amount set by the licensing authority, prorated on the basis of the number of months remaining in license year (sec. 125.25(4))
- Beer Class "B" retailer licenses – \$100 maximum per year, prorated on the basis of the number of months remaining in the license year (sec. 125.26(4) and (5))
- Temporary Class "B" (beer) licenses – \$10 (sec. 125.26(6))
- Temporary "Class B" (wine) licenses – may not exceed \$10, except no fee may be charged if the applicant is also applying for a temporary Class "B" license for beer (sec. 125.51(10)(a))
- Wine "Class C" retailer licenses – \$100 maximum, prorated on the basis of the number of months remaining in license year (sec. 125.51(3m)(e))
- "Class A" intoxicating liquor – minimum \$50 and maximum \$500, prorated on the basis of the number of months remaining in the licensing period (sec. 125.51(2)(d) and (9)(a))
- "Class B" intoxicating liquor – minimum \$50 and maximum \$500 (sec. 125.51(3)(e)1.)
 - RESERVE "Class B" intoxicating liquor – minimum \$10,000 initial fee plus a fee between \$50 and \$500 (sec. 125.51(3)(e) 2.)
 - RENEWAL FEE – between \$50 and \$500
 - PREMIER ECONOMIC DEVELOPMENT DISTRICT RESERVE "Class B" intoxicating liquor – minimum \$30,000 initial fee plus a fee between \$50 and \$500 (sec. 125.51(3)(e)6.)
 - ABOVE-QUOTA- (RESTAURANT/HOTEL/THEATER) annual initial and renewal fees established locally and prorated on the basis of the number of months remaining in the licensing period. Minimum fee does not apply to licenses issued to bona fide clubs and lodges situated and incorporated in Wisconsin for at least six years. (sec. 125.51(4)(v) and (9)(a))
- Operator's licenses – any amount set by the licensing authority (sec. 125.17(3))
- Cigarette and tobacco products license – \$5-\$100 (clerks approve and issue) (sec. 134.65)
- Agent change – \$10 (sec. 125.04(6)(e))

Licensees must file an Alcohol Dealer Registration with the Alcohol and Tobacco Tax and Trade Bureau (TTB), file Form TTB 5630.5d or contact the National Revenue Center (1-877-882-3277). Temporary Class "B"/"Class B" licenses are exempt.

Beer and liquor statutes contain no provisions about refunds of license fees.

A municipality may not refund or rebate to a "Class B" licensee or a person affiliated with the "Class B" licensee, the fee paid for initial issuance of a reserve "Class B" license.

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



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

To: Honorable Mayor and City Council Members
From: Tony Janisch, Assistant City Administrator *[Signature]*
Re: Alcohol Licensing Renewal Process
Date: April 30, 2020

Alcohol License Renewal Applications for businesses were due on April 15th. At the May Council Meeting, applications are first introduced to Council. If Council determines that all applications have been filed without any major concern or issue, Council is requested to instruct city staff to issue public notification and begin the administrative process.

Following this meeting, public notice of applications will be sent to the Ashland Daily Press and alerts will be issued to any interested parties. A copy of this notice is included in the packet.

During the month of May and early June, the administrative review process will begin. Staff will investigate any delinquent obligations due to the City and the Police Department will inspect the premises of all applicants to ensure compliance with Ordinance 7-2-8.

Council will be asked to revisit these applications at the June Council Meeting, where it will have the opportunity to grant, deny, or place restrictions on any license renewal. The June Council Meeting Packet will include a detailed report on any alcohol distributor notices, delinquent obligations due the City, and inspection results.

It is my recommendation to approve the renewal list for publication and authorize staff to begin the administrative process.

CITY OF WASHBURN

Notice of Applications Filed for Alcohol Beverage Licenses

Renewals 7/1/2020 - 6/30/2021

1. Uncle Walleyes LLC, Barbara K. Engelhard agent, dba Patsy's Bar, Corporation Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor, 328 West Bayfield Street.
2. Dauson, Inc., Harlan Guske agent, dba Firehouse, Corporation Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor, 10 West Bayfield Street.
3. Washburn Development Property LLC, dba The Harbor View, Jeffery Moberg agent, Corporation Class "B" Fermented Malt Beverage & "Class B" Liquor, 128 Harbor View Drive.
4. Hansen's IGA Inc. dba as Hansen's IGA Washburn, Wendy Mac Arthur agent, Corporation Class "A" Fermented Malt Beverage & "Class A" Intoxicating Liquor, 226 West Bayfield Street.
5. Beth. Nickels, dba A Nickel's Worth Bar-n-Grill, Individual Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor, 800 West Bayfield Street.
6. Lyndale Terminal LLC., dba Holiday Station store #227, Eugene Rich agent, Corporation Class "A" Fermented Malt Beverage, 606 West Bayfield Street.
7. Midland Services Inc., Terri Sell agent, Corporation Class "A" Fermented Malt Beverage, 137 West Bayfield Street.
8. StageNorth, LLC, Bob Adams agent, dba Stage Door Bar, Corporation Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor, 123 West Omaha Street.
9. DaLou's Bistro, Inc., Dale Hanson agent, dba DaLou's Bistro, Corporation Class "B" Fermented Malt Beverage & "Class C" Wine, 310 West Bayfield Street.
10. The Snug, LLC, dba The Snug, Kristi M. Doman agent, Corporation Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor, 308 West Bayfield Street
11. Naturally Superior, Inc., Dale A. Brevak agent, dba Lake Superior View Golf, Corporation Class "B" Fermented Malt Beverage, 950 County Hwy C.
12. Karlyn Yellowbird Gallery LLC, Ron Piercy agent, dba Karlyn Yellowbird Gallery, Corporation Class "B" Fermented Malt Beverage & "Class C" Wine, 318 West Bayfield Street.

Tony Janisch

Assistant City Administrator

Daily Press - legal notice - May 20, 2020; May 23, 2020; and May 27, 2020

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 07/01/2020 ending: 06/30/2021
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of WASHBURN

County of Bay Field Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☐ Individual ☐ Partnership ☒ Limited Liability Company
☐ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

B Full Name of Corporation/Nonprofit Organization/Limited Liability Company Wade Wallace & Co Patsys Bar

Address of Corporation/Limited Liability Company (if different from licensed premises) 77905 Washington Ave, Washburn, WI 54891

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title Name (Inc. Middle Name) Home Address Post Office & Zip Code

President/Member George W. Engelhard 77905 Washington Ave, Washburn, WI 54891

Vice President/Member Barbara Engelhard 77905 Washington Ave, Washburn, WI 54891

Secretary/Member Barbara Engelhard

Treasurer/Member Barbara Engelhard

Agent Barbara Engelhard

Directors/Managers

C. 1. Trade Name Patsys Bar

Business Phone Number 715-373-5792

2. Address of Premises 328 W Bay Field St

Post Office & Zip Code Washburn, WI 54891

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

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

5. Legal description (omit if street address is given above): Block 35, Lots 1, 2, 3 Entire Building

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No

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

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

Barbara Engelhard
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-29-20</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 7-1-20 ending: 6-30-21
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of Washburn

County of Bayfield Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☐ Individual ☐ Partnership ☐ Limited Liability Company
☒ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company DAVISON INC.

Address of Corporation/Limited Liability Company (if different from licensed premises) _____

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title Name (Inc. Middle Name)

Home Address

Post Office & Zip Code

President/Member Harlan J Guske

Washburn

160 54891

Vice President/Member _____

Secretary/Member _____

Treasurer/Member _____

Agent Harlan J Guske

Directors/Managers _____

C. 1. Trade Name FIRE HOUSE BAR

Business Phone Number 715-393-5780

2. Address of Premises 10 WEST BAYFIELD ST

Post Office & Zip Code PO BOX 160 54891

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

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

5. Legal description (omit if street address is given above): _____

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (808) 266-2778] ☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

Harlan J Guske

(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-1-2020</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 07/01/2020 ending: 06/30/2021
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of Washburn

County of Bayfield Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☐ Individual ☐ Partnership ☒ Limited Liability Company
☐ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company Washburn Development Property, LLC

Address of Corporation/Limited Liability Company (if different from licensed premises) 2052 85th Ave Dresser, WI 54009

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company: 54009

Title President (Inc. Middle Name) Home Address Post Office & Zip Code

President/Member Jeffrey Moberg 2052 85th Ave Dresser WI 54009

Vice President/Member Michael Charles Anderson 37 67th Road N, Star Harbor WI 54026

Secretary/Member _____

Treasurer/Member _____

Agent Jeffrey Moberg

Directors/Managers _____

C. 1. Trade Name The Harbor View Business Phone Number 715 373 5492

2. Address of Premises 128 Harbor View Drive Post Office & Zip Code Washburn, WI 54001

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

4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 1 story bldg Bassano Potio

5. Legal description (omit if street address is given above): _____

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? (phone (800) 286-2776) ☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

Jeffrey Moberg
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4/11/20</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Renewal Alcohol Beverage License Application

(Submit to municipal clerk. Read instructions on page 3.)

For the license period beginning: 07 01 2020 ending: 06 30 2021
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of Washburn

County of Bayfield Aldermanic Dist. No. _____
(If required by ordinance)

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

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

B. LLC or Corporation (and Agent):

Full Legal Name of Corporation / Nonprofit Organization / Limited Liability Company <u>Hansen's IGA Inc.</u>	Address of Corporation / Limited Liability Company (If different from licensed premises) <u>P.O. Box 160, Bangor, WI 54614</u>
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All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent.

Agent Last Name <u>MacArthur</u>	(First) <u>Wendy</u>	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code) <u>50059 Holmes Rd. Ashland WI 54806</u>
-------------------------------------	-------------------------	---------------	--

All Officer(s) Director(s) of Corporation and Members / Managers of Limited Liability Company:

President / Member Last Name <u>Hansen</u>	(First) <u>Gregory</u>	(Middle Name) <u>J</u>	Home Address (Street, City or Post Office, & Zip Code) <u>1320 Cardinal St, Bangor WI 54614</u>
Vice President / Member Last Name <u>Hansen</u>	(First) <u>Nicholas</u>	(Middle Name) <u>L</u>	Home Address (Street, City or Post Office, & Zip Code) <u>5225 Brackenwood Ct, LaCrosse WI 54601</u>
Secretary / Member Last Name <u>Hansen</u>	(First) <u>Kari</u>	(Middle Name) <u>L</u>	Home Address (Street, City or Post Office, & Zip Code) <u>1320 Cardinal St, Bangor WI 54614</u>
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

C. Business Information

1. Trade Name Hansen's IGA Inc. Business Phone Number 715-373-5566

2. Address of Premises 226 W Bayfield St Post Office & Zip Code 54891

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

4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 27,000 sq ft bldg
Grocery Store, entire building

Applicant's Wisconsin Seller's Permit Number <u>456-0000340870-03</u>	
FEIN Number <u>39-1098106</u>	
TYPE OF LICENSE REQUESTED	FEE
<input checked="" type="checkbox"/> Class A beer	\$ 110
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input checked="" type="checkbox"/> Class A liquor	\$ 350
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ 18
TOTAL FEE	\$ 478

5. Legal description (omit if street address is given on previous page): _____

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete page 3 ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on page 3. ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin income or Franchise Tax return of the licensee? If not, explain ☒ Yes ☐ No


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

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☒ Yes ☐ No

12. Does the applicant owe municipal property taxes, assessments, or other fees? ☐ Yes ☒ No
(Note: Renewal of licenses may be denied pursuant to a local ordinance, if the licensee owes municipal taxes, assessments or other fees).

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

Contact Person's Name (Last, First, M.I.) Hansen Nicholas L	Title / Member Owner/VP	Date 3/19/2020
Signature 	Phone Number 608-486-2049 #118	Email Address nlhansen@hansensiga.com

TO BE COMPLETED BY CLERK

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

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: July 1st 2020 ending: June 30th 2021
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of Washburn

County of Bayfield Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☒ Individual ☐ Partnership ☐ Limited Liability Company
☐ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Nickels, David P

Home Address

800 W. Bayfield St

Post Office & Zip Code

Washburn, WI 54881

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company

Address of Corporation/Limited Liability Company (if different from licensed premises)

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title Name (Inc. Middle Name) Home Address Post Office & Zip Code

President/Member

Vice President/Member

Secretary/Member

Treasurer/Member

Agent

Directors/Managers

C. 1. Trade Name

A Nickels' North Bar-n-Grill

Business Phone Number (715) 373-5421

2. Address of Premises

800 W. Bayfield St

Post Office & Zip Code Washburn, WI 54881

3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?

☒ Yes ☐ No

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

Building on West end of property w porch

5. Legal description (omit if street address is given above):

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side

☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side

☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain.

☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain.

☒ Yes ☐ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? (phone (608) 266-2776)

☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement?

☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor?

☐ Yes ☒ No

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

David P. Nickels
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-13-20</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 07 01 2020 ending: 06 30 2021
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of } Washburn

County of Bayfield Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☐ Individual ☐ Partnership ☒ Limited Liability Company
☐ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name) Home Address Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company Lyndale Terminal, LLC

Address of Corporation/Limited Liability Company (if different from licensed premises) 4567 American Blvd W Bloomington MN 55437

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title Name (Inc. Middle Name) Home Address Post Office & Zip Code

President/Member Please see attached list

Vice President/Member _____

Secretary/Member _____

Treasurer/Member _____

Agent _____

Directors/Managers _____

C. 1. Trade Name Holiday Stationstore #227

Business Phone Number 715-373-2305

2. Address of Premises 606 W. Bayfield St PO Box 183

Post Office & Zip Code Washburn WI 54891

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

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

5. Legal description (omit if street address is given above): _____

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. Change of "officer" managers (not of Member) ☒ Yes ☐ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (808) 266-2776] ☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

Gary Brant
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)
Gary Brant, Vice President of Operations

TO BE COMPLETED BY CLERK

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

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 07/1/2020 ending: 6/30/2021
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of Washburn
County of Bayfield Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☐ Individual ☐ Partnership ☐ Limited Liability Company
☒ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company Midland Services Inc
Address of Corporation/Limited Liability Company (if different from licensed premises) 220 3rd Ave W Ashland WI 54806
All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:
Title Name (Inc. Middle Name) Home Address Post Office & Zip Code
President/Member Richard Fromman 2511 Junction Rd Ashland WI 54806
Vice President/Member Gregory Massaglia 9191 Old Hwy 10 Saxon WI 54555
Secretary/Member Pete Tetzner 30840 Winger Rd Washburn WI 54881
Treasurer/Member Trent Allen 25100 Cozy Corner Rd Ashland WI 54806
Agent Terri Sell 21555 Moguen Pit Rd Ashland WI 54806
Director/Managers Terri Sell

- C. 1. Trade Name Midland Services - Washburn Business Phone Number 715 373-5722
2. Address of Premises 123 W Bayfield St Post Office & Zip Code Washburn WI 54801
3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☐ Yes ☒ No
4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) C-store / entire building
5. Legal description (omit if street address is given above): _____
6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No
b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No
7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No
8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No
9. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (800) 266-2776] ☒ Yes ☐ No
10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No
11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

Trent Allen
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

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

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 07/01/2020 ending: 06/30/2021
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of WASHBURN

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

CHECK ONE ☐ Individual ☐ Partnership ☒ Limited Liability Company
☐ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company STAGENORTH LLC

Address of Corporation/Limited Liability Company (if different from licensed premises) _____

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title Name (Inc. Middle Name) Home Address Post Office & Zip Code

President/Member JOHN WEINEL 11721 OSPREY AVE. S HASTINGS, MN 55033

Vice President/Member ANA WEINEL SAME

Secretary/Member _____

Treasurer/Member _____

Agent ROBERT ADAMS

Directors/Managers ROBERT ADAMS

C.1. Trade Name STAGE DOOR BAR

Business Phone Number 715-373-1194

2. Address of Premises 123 W OMAHA STREET

Post Office & Zip Code WASHBURN 54891

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

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

5. Legal description (omit if street address is given above) KITCHEN, BASEMENT, STAGE

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (808) 266-2776] ☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

Robert Adams

(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-10-20</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 7-1-20 ending: 6-30-21
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of Bayfield

County of Bayfield Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

Stensvad Lois Janet

524 Washington Ave.

P.O. Box 677-54891

Hanson Dale Gordon

524 Washington Ave.

P.O. Box 677-54891

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company

Address of Corporation/Limited Liability Company (if different from licensed premises) Dalous BISTRO

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company: 310 West Bayfield Street

Title Name (Inc. Middle Name) Home Address Post Office & Zip Code

President/Member Dale G. Hanson 524 Washington Ave P.O. Box 677 54891

Vice President/Member Lois T. Stensvad " " " "

Secretary/Member _____

Treasurer/Member _____

Agent Dale Hanson

Directors/Managers Lois Stensvad / Dale Hanson

C. 1. Trade Name

Dalous BISTRO Business Phone Number 715-373-1125

2. Address of Premises 310 West Bayfield St Post Office & Zip Code PO Box 677

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

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

5. Legal description (omit if street address is given above): _____

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? (phone (808) 286-2776) ☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>7-1-2020</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 07/01/20 ending: 06/30/21
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of Washburn

County of Bayfield Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☐ Individual ☐ Partnership ☒ Limited Liability Company
☐ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company The Snug, LLC

Address of Corporation/Limited Liability Company (if different from licensed premises) Washburn WI 54891

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title Name (Inc. Middle Name) Home Address Post Office & Zip Code

President/Member President Daniel T Doman 302 E 3rd St Washburn WI 54891

Vice President/Member

Secretary/Member

Treasurer/Member Kristi M Doman, Treas 302 E 3rd St Washburn WI 54891

Agent Kristi Doman 302 E 3rd St Washburn WI 54891

Directors/Managers Daniel Doman 302 E 3rd St Washburn WI 54891

C. 1. Trade Name The Snug

Business Phone Number 715 373 0338

2. Address of Premises 308 W Bayfield St

Post Office & Zip Code Washburn 54891

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

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

5. Legal description (omit if street address is given above): basement storage

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 286-2776] ☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

[Signature]
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

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

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 07/01/2020 ending: 06/30/2021
(MM/DD/YYYY) (MM/DD/YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of Washburn

County of Bayfield Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☐ Individual ☐ Partnership ☐ Limited Liability Company
☒ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company Naturally Superior Inc.

Address of Corporation/Limited Liability Company (if different from licensed premises) Washburn, WI 54891

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title	Name (Inc. Middle Name)	Home Address	Post Office & Zip Code
President/Member	<u>Dale Arden Brevak</u>	<u>74035 Ordossagon Rd.</u>	<u>Washburn, WI 54891</u>
Vice President/Member	<u>Derek Jan Brevak</u>	<u>8392 Hwy 80</u>	<u>Marshfield, WI 54449</u>
Secretary/Member	<u>Danalee Marie Brevak</u>	<u>74035 Ordossagon Rd.</u>	<u>Washburn, WI 54891</u>
Treasurer/Member	<u>Dana Ingrid Hudson</u>	<u>234 Blue Sky Dr.</u>	<u>Glennview City, WI 57013</u>
Agent	<u>Dale A. Brevak</u>		
Directors/Managers	<u>Danalee M. Brevak</u>		

C. 1. Trade Name Lake Superior View Golf

Business Phone Number 715-373-1100/0393

2. Address of Premises 950 Co Hwy C.

Post Office & Zip Code Washburn, WI 54891

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

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

5. Legal description (omit if street address is given above): _____

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? (phone (808) 286-2776) ☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

Danalee M. Brevak
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-15-20</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Renewal Alcohol Beverage License Application

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: July 1 2020 ending: June 30 2021
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of WASHBURN

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

CHECK ONE ☐ Individual ☐ Partnership ☒ Limited Liability Company
☐ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company KARLYN Yellowbird Gallery LLC

Address of Corporation/Limited Liability Company (if different from licensed premises) _____

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title	Name (Inc. Middle Name)	Home Address	Post Office & Zip Code
President/Member	<u>RONALD V PIERCY</u>	<u>410 N 2ND AVE E</u>	<u>WASHBURN WI 54891</u>
Vice President/Member	_____	_____	_____
Secretary/Member	_____	_____	_____
Treasurer/Member	_____	_____	_____
Agent	_____	_____	_____
Directors/Managers	_____	_____	_____

C. 1. Trade Name KARLYN Yellowbird Gallery Business Phone Number 218-370-0476

2. Address of Premises 318 W. BAYFIELD ST WASHBURN WI Post Office & Zip Code 54891 WASHBURN

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

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

5. Legal description (omit if street address is given above): CLASSROOM AND GALLERY Floor all ground level

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this licensee? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Due to Virus Franchise Tax return of the licensee? If not, explain. BUSINESS HAS BEEN CLOSED FROM DATE OF ISSUANCE ☐ Yes ☒ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? (phone (608) 286-2776) ☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No

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

(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>3/27/20</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

9

**Wisconsin Department of Justice
Office of the Attorney General**

PUBLIC RECORDS 101

July 29, 2015

1. Access is presumed.

- A. The public records statutes "shall be construed in every instance with a presumption of complete public access, consistent with the conduct of governmental business. The denial of public access generally is contrary to the public interest, and only in an exceptional case may access be denied." Wis. Stat. § 19.31.
- B. Although the presumption of access is strong, it is not absolute. *Hempel v. City of Baraboo*, 2005 WI 120, ¶ 28, 284 Wis. 2d 162, 699 N.W.2d 551.
- C. "Except as otherwise provided by law, any requester has a right to inspect any record." Wis. Stat. § 19.35(1)(a).
 - 1. Exceptions may be created by state or federal statutes, or by case law.
 - 2. Access also may be denied pursuant to the public records balancing test when identified public interests favoring non-disclosure of specific records outweigh the public interest in disclosure of those records.
 - 3. Exemptions to the public records law are narrowly construed. *Chvala v. Bubolz*, 204 Wis. 2d 82, 88, 552 N.W.2d 892, 895 (Ct. App. 1996); *Hathaway v. Jt. Sch. Dist. No 1, Green Bay*, 116 Wis. 2d 388, 397, 342 N.W.2d 682, 686-87 (1984).

2. "Authorities" are subject to the public records law.

- A. An "authority" includes state and local governments, courts, elected officials, and their sub-units, departments, and employees. Wis. Stat. § 19.32(1).
- B. Each authority is legally responsible for responding to public records requests received by that authority.

3. A "record" is specifically defined, Wis. Stat. § 19.32(2).

- A. A "record" can be virtually anything that contains information created or kept by a government, but drafts, notes, preliminary computation and the like materials are not records if they are prepared for the originator's personal use or prepared on behalf of the ultimate author.
 - 1. A "draft" generally is a document circulated only to persons over whom the person for whom the draft is prepared has authority. 77 Op. Att'y Gen. 100, 102-

03 (1988); Labeling documents as "drafts" is not controlling. *Fox v. Bock*, 149 Wis. 2d 403, 417, 438 N.W.2d 589, 594 (1989).

2. A document is not a "draft" if it is used for the purposes for which it was commissioned. *Fox*, 149 Wis. 2d at 414; *Journal/Sentinel, Inc. v. Sch. Bd. of Shorewood*, 186 Wis. 2d 443, 455-56, 521 N.W.2d 165, 171 Ct. App. 1994).
 3. In general, sharing notes with other persons transforms them beyond "personal use."
- B. Content determines whether something is a "record" for public records law purposes — not medium, format, or location. OAG I-06-09 (December 23, 2009), at 2.
- C. A "record" must be created or kept in connection with the official purpose or function of the authority. 72 Op. Att'y Gen. 99, 101 (1983); *State ex rel. Youmans v. Owens*, 28 Wis. 2d 672, 679, 137 N.W.2d 470, 473 (1965).
- D. "Records" do not include published material available for sale or at a library. Wis. Stat. § 19.32(2).
- E. "Records" do not include purely personal property of the custodian with no relation to his or her office. Wis. Stat. § 19.32(2).
1. Email sent on personal email accounts but pertaining to official business is a record.
 2. Purely personal email sent on government email accounts also is a record, but is not subject to disclosure in response to a public records request if it does not evince any violation of law or policy. *Schill v. Wisconsin Rapids Sch. Dist.*, 2010 WI 86, ¶ 9 & n.4, 327 Wis. 2d 572, 786 N.W.2d 177 (Abrahamson, C.J., lead opinion); *Id.*, ¶ 148 & n.2 (Bradley, J., concurring); *Id.*, ¶ 173 & n.4 (Gableman, J., concurring).
4. The public records law applies to records that exist at the time a public records request is received.
- A. The public records law generally does not require creating new records in order to respond to a public records request, or obtaining records from another authority.
1. An authority can offer to create a record (e.g., payroll data or other data that exists in numerous records, but a computer program can pull pertinent data from those records and create one short spreadsheet)
- B. The public records law does not require complying with "continuing" or prospective requests.
- C. The public records law does not require answering questions about a topic of interest to the requester.

- D. An authority may choose to provide information not required by the public records law.
- E. Alternate means of obtaining the same or similar information, such as subpoena or discovery, are governed by different rules.

5. Record preservation requirements apply.

- A. When a public records request is made, the authority must preserve potentially responsive records. Wis. Stat. §§ 19.35(5); 19.356(5).
- B. Don't confuse public records preservation with record retention laws.

6. Response is required "as soon as practicable and without delay." Wis. Stat. § 19.35(4)(a).

- A. There is no mandatory time frame for response, such as 48 hours or ten days, required by statute.
- B. A reasonable time for responding to a specific request depends on the totality of circumstances, including the nature of the request, the extent of the request, and the staff and other resources available to process the request. *WIREData, Inc. v. Vill. of Sussex*, 2008 WI 69, ¶ 56, 310 Wis. 2d 397, 751 N.W.2d 736.

7. The requester's identity and motive generally are not relevant.

- A. A requester need not identify the motive or purpose of his or her request. Wis. Stat. § 19.35(1)(h) and (i).
 - 1. If the requestor's identity or motive is known to the Authority, the Authority may consider that information in the balancing test under limited and compelling circumstances. *Ardell v. Milwaukee Bd. of Sch. Dir.*, 2014 WI App 66, ¶ 23, 354 Wis.2d 471, 849 N.W.2d 894.
- B. A requester generally need not identify himself or herself, or show identification. Wis. Stat. § 19.35(1)(i).
 - 1. Identification may be required when needed for security reasons.
 - 2. Identification may be requested when required by law for access to certain types of records (such as certain law enforcement records and patient health care records).
 - 3. To verify identity when documents are only available to the records subject under Wis. Stat. § 19.35(1)(am).
- C. A requester seeking records containing personally identifiable information about himself or herself has greater rights of access under Wis. Stat. § 19.35(1)(am).

8. A request need not be in writing, but must be reasonably specific.

- A. Public records requests need not be made in writing. Wis. Stat. § 19.35(1)(h).
- B. A request without a reasonable limitation as to time or subject matter of the requested records is not sufficient. Wis. Stat. § 19.35(1)(h); *Schopper v. Gehring*, 210 Wis. 2d 208, 212-13, 565 N.W.2d 187, 189-90 (Ct. App. 1997); *State ex rel. Gehl v. Connors*, 2007 WI App 238, ¶ 24, 306 Wis. 2d 247, 742 N.W.2d 530.
- C. A records custodian should not have to guess at what records a requester desires. *Seifert v. Sch. Dist. of Sheboygan Falls*, 2007 WI App 207, ¶ 42, 305 Wis. 2d 582, 740 N.W.2d 177.
- D. That a public records request may result in production of voluminous records is not—in and of itself—a sufficient reason to deny a request. At some point, an overly broad request becomes sufficiently excessive to warrant rejection. There is no bright line test. The public records law will not be interpreted to impose such a burden on a records custodian that normal functioning of the office would be severely impaired. *Gehl*, 2007 WI App 238, ¶¶ 23-24, 306 Wis. 2d 247, 742 N.W.2d 530.
- E. It is fine for a custodian to contact a requester to try and clarify what records he or she wants.

9. Suggested framework for analyzing public records requests.

- A. Step One: Is there such a record?
- B. Step Two: Is the requester entitled to access the record pursuant to statute or court decision?
- C. Step Three: Is the requester prohibited from accessing the record pursuant to statute or court decision?
- D. Step Four: Does the balancing test compel access to the record?
 - 1. The balancing test requires the records custodian to balance the strong public interest in disclosure against identifiable public interests against disclosure.
 - a. Fact-intensive, case-by-case analysis is required. *Kroeplin v. Wis. Dep't of Natural Res.*, 2006 WI App 227, ¶ 37, 297 Wis. 2d 254, 725 N.W.2d 286.
 - b. The totality of circumstances must be considered. *Seifert*, 2007 WI App 207, ¶ 31, 305 Wis. 2d 582, 740 N.W.2d 177.
 - c. The identity of the requester and the purpose of the request generally are not part of the balancing test. See *Kraemer Bros., Inc. v. Dane County*, 229 Wis. 2d 86, 102, 599 N.W.2d 75, 83 (Ct. App. 1999). But whether the

requester's identity presents a safety concern properly considered in the balancing test is a fact-intensive inquiry determined on a case by case basis. *State ex rel. Ardell v. Milwaukee Bd. of Sch. Dir.*, 2014 WI App 66, ¶ 17, 354 Wis. 2d 471, 849 N.W. 2d 894.

- d. The private interest of a person mentioned or identified in the records is properly considered only indirectly in the balancing test—whether there is a public interest in protecting the person's privacy or reputational interest (such as encouraging quality applicants for government service positions). *Linzmeyer v. Forcey*, 2002 WI 84, ¶ 31, 254 Wis. 2d 306, 646 N.W.2d 811.
- e. Without more, potential embarrassment is not a sufficient reason for withholding a record. *Milwaukee Journal Sentinel v. Wisconsin Dep't of Admin.*, 2009 WI 79, ¶ 62, 319 Wis. 2d 439, 768 N.W.2d 700.

2. Some public policies that may be considered.

- a. Policies expressed in exemptions to the open meetings law, such as discussion of personnel matters or rendition of legal advice as to pending or probable litigation, if the authority or custodian makes a specific demonstration that there is a need to restrict public access at the time that the request to inspect or copy the record is made. Wis. Stat. § 19.35(1)(a); *Beaver Dam Area Dev. Corp.*, 2008 WI 90, ¶ 82, 312 Wis. 2d 84, 752 N.W.2d 295; 73 Op. Att'y Gen. 20, 22 (1984).
- b. Public policy interest supporting effective investigation and prosecution of crime. *Linzmeyer*, 2002 WI 84, ¶ 30, 254 Wis. 2d 306, 646 N.W.2d 811.
- c. Public policy interest in attracting quality candidates for public employment, which might be undermined if there is a perception that personnel files are regularly open for review. *Hempel*, 2005 WI 120, ¶ 75, 284 Wis. 2d 162, 699 N.W.2d 551.

3. Note that there is no balancing test under Wis. Stat. § 19.35(1)(am). *Hempel*, 2005 WI 120, ¶¶ 3, 27, 56, 284 Wis. 2d 162, 699 N.W.2d 557.

10. **There is no blanket rule exempting personnel records from disclosure.**

- A. Exempt from disclosure, pursuant to the public records law: Information relating to one or more specific employees that is used for staff management planning, including performance evaluations, judgments, or recommendations concerning future salary adjustments or other wage treatments, promotions, job assignments, letters of reference, or other comments or ratings relating to employees. Wis. Stat. § 19.36(10)(d).
- B. Many personnel records must be reviewed page by page; the balancing test or other considerations may apply to certain records.

11. If part of the record is disclosable, that part must be disclosed.
 - A. Other parts of the record not subject to disclosure must be separated, or “redacted.” Wis. Stat. § 19.36(6). There is no mandatory method of making redactions.
12. A response denying some or all requested records must be legally sufficient and explained with sufficient specificity.
 - A. Reasons stated for denying a public records request, or redacting certain information, must be sufficient and specific—they must reasonably explain the denial or redaction. *Hempel*, 2005 WI 120, ¶¶ 25-26, 284 Wis. 2d 162, 699 N.W.2d 551; *Portage Daily Register v. Columbia County Sheriff's Dep't*, 2008 WI App 30, ¶ 14, 308 Wis. 2d 357, 746 N.W.2d 525.
 - B. A written request requires a written response, if the request is denied in full or in part. It is fine to respond in writing to an oral request. Wis. Stat. § 19.35(4)(b).
 - C. If denial of a request is challenged in a mandamus proceeding, the judge's review usually is limited to the reasons stated in the response. If the response fails to state sufficient reasons for denying the request, the court will require disclosure of the requested records. *Osborn v. Bd. of Regents*, 2002 WI 83, ¶ 16, 254 Wis. 2d 266, 647 N.W.2d 158; accord *Beckon v. Emery*, 36 Wis. 2d 510, 516, 153 N.W.2d 501, 503 (1967); but see *Journal Times v. City of Racine Bd. of Police and Fire Comm'rs.*, 2015 WI 56, ¶ 69, 362 Wis. 2d 577, --- N.W.2d --- (court may consider statutory exemption not previously asserted).
13. Notice before releasing records is required only in limited circumstances, Wis. Stat. § 19.356
 - A. There are three circumstances when notice is required and the recipient is entitled to petition for a court order attempting to restrain release of the records: certain employee disciplinary records, records obtained through subpoena or search warrant, records prepared by an employer other than the authority. Wis. Stat. § 19.356(2)(a).
 - B. A different kind of notice is required if an authority decides to permit access to records containing information relating to a record subject who is an officer or an employee of the authority holding a state or local public office. These notice recipients may supplement the records before release. Wis. Stat. § 19.356(9).
14. An authority may charge for “actual, necessary and direct” costs specified in Wis. Stat. § 19.35(3).
 - A. An authority may charge only for the specific tasks identified by the Legislature in Wis. Stat. § 19.35(3). *Milwaukee Journal Sentinel v. City of Milwaukee*, 2012 WI 65, ¶ 50, 341 Wis. 2d 607, 815 N.W.2d 367 (Abrahamson, C.J., lead opinion); *Id.*, ¶ 76 (Roggensack, J., concurring)
 1. Reproduction costs incurred in the process of producing a counterpart, image, or copy. Wis. Stat. § 19.35(3)(a).
 2. Transcription costs. Wis. Stat. § 19.35(3)(a).

3. Location costs incurred in searching, examining, or experimenting to find a responsive record. Wis. Stat. § 19.35(3)(c).
 - a. Location costs usually consist of staff time, calculated at time x hourly rate (can include fringes).
 - b. Caveat: Costs of locating records may not be charged unless they total \$50.00 or more.
4. Photography and photographic reproduction charges. Wis. Stat. § 19.35(3)(b).
5. Mailing and shipping fees. Wis. Stat. § 19.35(3)(d).
- B. Costs of reviewing and redacting records may not be charged. *Milwaukee Journal Sentinel*, 2012 WI 65, ¶¶ 1 & n.4, 6, 58, 341 Wis. 2d 607, 815 N.W.2d 367, (Abrahamson, C.J., lead opinion); *Id.*, ¶ 76 (Roggensack, J., concurring).
- C. Prepayment may be required if the total cost exceeds \$5.00. Wis. Stat. § 19.35(3)(f).
- D. An authority may choose to provide records at reduced or no charge. Wis. Stat. § 19.35(3)(e).

15. Public records law resources.

- A. Review sources available on the Department of Justice website, www.doj.state.wi.us.
 1. *Wisconsin Public Records Law Compliance Outline*.
 - a. Available to view, download, or print free of charge on the DOJ website.
 2. Sample notice forms, letters, and other reference materials.
 3. Recording of November 6, 2014, public records webinar.
 4. Attorney General's opinions.
- B. Consult with a DOJ public records lawyer. Contact Connie Anderson at (608) 266-3952 to arrange a consultation.
- C. Write to Attorney General Brad D. Schimel, Wisconsin Department of Justice, Post Office Box 7857, Madison, WI 53707-7857. Include copies of request, response and other relevant correspondence.
- D. Review Melanie R. Swank, *The Wisconsin Public Records and Open Meetings Handbook* (5th ed. 2012)

E. Review resources available on the Wisconsin Freedom of Information Council website, www.wisfoic.org.

1. Statutes, case law, and Attorney General's opinions.
2. Frequently asked questions.
3. "Your Right to Know" columns.

**Wisconsin Department of Justice
Office of the Attorney General**

OPEN MEETINGS 101

July 29, 2015

Wisconsin's open meetings law, Wis. Stat. § 19.81 *et seq.*

The open meetings law requires that "all meetings of all state and local governmental bodies shall be publicly held in places reasonably accessible to members of the public and shall be open to all citizens at all times unless otherwise expressly provided by law." Wis. Stat. § 19.81(2). There is thus a presumption that meetings of governmental bodies must be held in open session. *State ex rel. Newspapers v. Showers*, 135 Wis. 2d 77, 97, 398 N.W.2d 154 (1987).

1. When does the Open Meetings Law apply?

The open meetings law applies to every "meeting" of a "governmental body." Wis. Stat. § 19.83. The terms "meeting" and "governmental body" are defined in Wis. Stat. § 19.82(1) and (2).

A. Definition of "Governmental Body."

1. Entities that are governmental bodies.

- a. State or local agencies, boards, and commissions. The definition of "governmental body" includes a "state or local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order[.]" Wis. Stat. § 19.82(1). This definition is broad enough to include virtually any collective governmental entity, regardless of what it is labeled. It is important to note that a governmental body is defined primarily in terms of the manner in which it is created, rather than in terms of the type of authority it possesses. Purely advisory bodies are therefore subject to the law, even though they do not possess final decision making power, as long as they are created by constitution, statute, ordinance, rule, or order. *See State v. Swanson*, 92 Wis. 2d 310, 317, 284 N.W.2d 655 (1979).
- b. A "formally constituted subunit" of a governmental body is itself a "governmental body" within the definition in Wis. Stat. § 19.82(1). A subunit is a separate, smaller body created by a parent body and composed exclusively of members of the parent body. 74 Op. Att'y Gen. 38, 40 (1985).
- c. State Legislature: Generally speaking, the open meetings law applies to the state Legislature, including the senate, assembly, and any committees or subunits of those bodies. Wis. Stat. § 19.87. The law does not apply to any partisan caucus of the senate or assembly. Wis. Stat. § 19.87(3). The open meetings law also does not apply where it conflicts with a rule of the

Legislature, senate, or assembly. Wis. Stat. § 19.87(2). Additional restrictions are set forth in Wis. Stat. § 19.87.

- d. Governmental or quasi-governmental corporations: The definition of "governmental body" also includes "a governmental or quasi-governmental corporation, except for the Bradley center sports and entertainment corporation." Wis. Stat. § 19.82(1). The term "governmental corporation" is not defined in either the statutes or the case law interpreting the statutes. It is clear, however, that a "governmental corporation" must at least include a corporation established for some public purpose and created directly by the state Legislature or by some other governmental body pursuant to specific statutory authorization or direction. See 66 Op. Att'y Gen. 113, 115 (1977).

2. Entities that are not governmental bodies

- a. Governmental offices held by a single individual, *Plourde v. Habegger*, 2006 WI App 147, 294 Wis. 2d 746, 720 N.W.2d 130.
- b. Bodies meeting for collective bargaining. The collective bargaining exclusion does not permit any body to consider the final ratification or approval of a collective bargaining agreement in closed session. Wis. Stat. § 19.85(3).
- c. Bodies created by the Wisconsin Supreme Court, *State ex rel. Lynch v. Dancy*, 71 Wis. 2d 287, 238 N.W.2d 81 (1976); OAG 67-79 (July 31, 1979) (unpublished opinion).
- d. Ad hoc gatherings, e.g., a loosely constituted group of citizens and local officials instituted by the mayor to discuss various issues related to a dam closure was not a governmental body. See Godlewski Correspondence, September 24, 1998.

B. Definition of "Meeting."

Wis. Stat. § 19.82(2): A meeting is: "[T]he convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body. If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body. The term does not include any social or chance gathering or conference which is not intended to avoid this subchapter"

1. The *Showers* test: A meeting occurs when: members of a governmental body convene with (1) a purpose to engage in governmental business and (2) the number of members present is sufficient to determine the governmental body's course of action. *Showers*, 135 Wis. 2d at 102.
 - a. Members need not necessarily convene in person, and the *Showers* test applies to walking quorums. See *Open Meetings Compliance Guide* 7-9.

2. What is required if the Open Meetings Law applies?

The two most basic requirements of the open meetings law are that a governmental body:

- A. Give advance public notice of each of its meetings

1. Wisconsin Stat. § 19.84, which sets forth the public notice requirements, specifies when, how, and to whom notice must be given, as well as what information a notice must contain.
 2. Every public notice of a meeting must give the "time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereof." Wis. Stat. § 19.84(2). The information in the notice must be sufficient to alert the public to the importance of the meeting, so that they can make an informed decision whether to attend. *State ex rel. Olson v. City of Baraboo Joint Review Bd.*, 2002 WI App 64, ¶ 15, 252 Wis. 2d 628, 643 N.W.2d 796.
 3. Wisconsin Stat. § 19.84(3) requires that every public notice of a meeting be given at least twenty-four hours in advance of the meeting, unless "for good cause" such notice is "impossible or impractical." If "good cause" exists, the notice should be given as soon as possible and must be given at least two hours in advance of the meeting. Wis. Stat. § 19.84(3).
 4. Under Wis. Stat. § 19.84(2), the public must receive notice of a contemplated closed session.
 - a. Such notice "must contain enough information for the public to discern whether the subject matter is authorized for closed session under § 19.85(1)." *State ex rel. Buswell v. Tomah Area Sch. Dist.*, 2007 WI 71, ¶ 37 n.7, 301 Wis. 2d 178, 732 N.W.2d 804.
 - b. The Attorney General has advised that notice of closed sessions must contain the specific nature of the business, as well as the exemption(s) under which the chief presiding officer believes a closed session is authorized. 66 Op. Att'y Gen. 93, 98 (1977).
- B. Conduct all of its business in open session, unless an exemption to the open session requirement applies. Wis. Stat. § 19.83.
1. Meetings must be accessible to members of the public. Wis. Stat. §§ 19.81(2), 19.82(3).
 2. Every meeting of a governmental body must initially be convened in "open session." See Wis. Stat. §§ 19.83 and 19.85(1). All business of any kind, formal or informal, must be initiated, discussed, and acted upon in "open session," unless one of the exemptions set forth in Wis. Stat. § 19.85(1) applies. Wis. Stat. § 19.83.
 3. Citizens may tape record, videotape, or photograph open session meetings—but not closed-session portions—as long as doing so does not disrupt the meeting. Wis. Stat. § 19.90; 66 Op. Att'y Gen. 318, 325 (1977).
 4. The open meetings law does not require a governmental body to allow members of the public to speak or actively participate in the body's meeting. Although it is not required, the open meetings law does permit a governmental body to set aside a portion of an open meeting as a public comment period. Wis. Stat. §§ 19.83(2), 19.84(2). Such a period must be included on the meeting notice.

C. Recording and voting requirements:

1. No secret ballot may be used to determine any election or decision of a governmental body, except the election of officers of a body. Wis. Stat. § 19.88(1). The open meetings law requires a governmental body to create and preserve a record of all motions and roll-call votes at its meetings. Wis. Stat. § 19.88(3). This requirement applies to both open and closed sessions. See Non-Party Brief of the Wisconsin Department of Justice (filed Feb. 24, 2015) https://casefiling.wicourts.gov/documents/show_any_doc?appld=wscca&docSource=EFile&p%5bcaseNo%5d=2013AP001715&p%5bdocId%5d=136359&p%5beventSeqNo%5d=69&p%5bsectionNo%5d=1, in *Journal Times v. City of Racine Bd. of Police & Fire Comm'rs*, No. 13-AP-1715.

D. Closed session

1. Notice of closed session must be provided. Wis. Stat. § 19.84(2).
2. Every meeting of a governmental body must initially be convened in open session. All business of any kind, formal or informal, must be initiated, discussed, and acted upon in open session unless one of the exemptions in Wis. Stat. § 19.85(1) applies. Wis. Stat. § 19.83.
3. Wisconsin Stat. § 19.85(1) requires that the governmental body pass a motion, by recorded majority vote, to convene in closed session.
4. The chief presiding officer must announce and record in open session the nature of the business to be discussed and the specific statutory exemption which is claimed to authorize the closed session. 66 Op. Att'y Gen. 93, 97-98 (1977). Stating only the statute section number of the applicable exemption is not sufficient because many exemptions contain more than one reason for authorizing closure.

E. Authorized closed sessions

1. Wisconsin Stat. § 19.85(1) contains eleven exemptions to the open session requirement which permit, but do not require, a governmental body to convene in closed session. Because the law is designed to provide the public with the most complete information possible regarding the affairs of government, exemptions should be strictly construed. *State ex rel. Hodge v. Turtle Lake*, 180 Wis. 2d 62, 71, 508 N.W.2d 603 (1993); *State ex rel. Citizens for Responsible Dev. v. City of Milton*, 2007 WI App 114, ¶ 8, 300 Wis. 2d 649, 731 N.W.2d 640. The policy of the open meetings law dictates that the exemptions be invoked sparingly and only where necessary to protect the public interest. If there is any doubt as to whether closure is permitted under a given exemption, the governmental body should hold the meeting in open session. See 74 Op. Att'y Gen. 70, 73 (1985).
2. Most frequent closed session rationale:
 - a. "Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body." Wis. Stat. § 19.85(1)(a).

- b. Consideration of dismissal, demotion, discipline, licensing, and tenure. Wis. Stat. § 19.85(1)(b).
- c. Consideration of employment, promotion, compensation, and performance evaluations. Wis. Stat. § 19.85(1)(c).
- 1. The language of the exemption refers to a "public employee" rather than to positions of employment in general. The apparent purpose of the exemption is to protect individual employees from having their actions and abilities discussed in public and to protect governmental bodies "from potential lawsuits resulting from open discussion of sensitive information." *Oshkosh Nw. Co. v. Oshkosh Library Bd.*, 125 Wis. 2d 480, 486, 373 N.W.2d 459 (Ct. App. 1985).
- d. Conducting public business with competitive or bargaining implications. Wis. Stat. § 19.85(1)(e).
- e. Consideration of financial, medical, social, or personal information. Wis. Stat. § 19.85(1)(f).
- f. Conferring with legal counsel with respect to litigation. Wis. Stat. § 19.85(1)(g).
- 3. Voting in closed session
 - a. The Attorney General advises that a governmental body vote in open session, unless the vote is clearly an integral part of deliberations authorized to be conducted in closed session under Wis. Stat. § 19.85(1). Stated another way, a governmental body should vote in open session, unless doing so would compromise the need for the closed session. *Accord State ex rel. Epping v. City of Neillsville Common Council*, 218 Wis. 2d 516, 524 n.4, 581 N.W.2d 548 (Ct. App. 1998) (even if deliberations were conducted in an unlawful closed session, a subsequent vote taken in open session could not be voided); *State ex rel. Schaeve v. Van Lare*, 125 Wis. 2d 40, 53, 370 N.W.2d 271 (Ct. App. 1985).

3. Who enforces the Open Meetings Law and what are its penalties?

Both the Attorney General and the district attorneys have authority to enforce the open meetings law. Wis. Stat. § 19.97(1).

- A. A district attorney has authority to enforce the open meetings law only after an individual files a verified open meetings law complaint with the district attorney. *See* Wis. Stat. § 19.97(1). Actions to enforce the open meetings law need not be preceded by a notice of claim. *State ex rel. Auchinleck v. Town of LaGrange*, 200 Wis. 2d 585, 594-97, 547 N.W.2d 587 (1996).
- B. The district attorney has broad discretion to determine whether a verified complaint should be prosecuted. *State v. Karpinski*, 92 Wis. 2d 599, 607, 285 N.W.2d 729 (1979). An enforcement action brought by a district attorney or by the Attorney General must be commenced within six years after the cause of action accrues or be barred. *See* Wis. Stat. § 893.93(1)(a).
- C. If the district attorney refuses to commence an open meetings law enforcement action or otherwise fails to act within twenty days of receiving a complaint, the individual who filed the complaint has a right to bring an action, in the name of the state, to enforce the

open meetings law. *State ex rel. Lawton v. Town of Barton*, 2005 WI App 16, ¶ 15, 278 Wis. 2d 388, 692 N.W.2d 304. Wis. Stat. § 19.97(4). See also *Fabyan v. Achtenhagen*, 2002 WI App 214, ¶¶ 10-13, 257 Wis. 2d 310, 652 N.W.2d 649 (complaint under Wis. Stat. § 19.97 must be brought in the name of and on behalf of the state; i.e., the caption must bear the title "State ex rel. . . ," or the court lacks competency to proceed).

- D. Court proceedings brought by private relators to enforce the open meetings law must be commenced within two years after the cause of action accrues, or the proceedings will be barred. Wis. Stat. § 893.93(2)(a); *State ex rel. Leung v. City of Lake Geneva*, 2003 WI App 129, ¶ 6, 265 Wis. 2d 674, 666 N.W.2d 104.
- E. If a private relator brings an enforcement action and prevails, the court is authorized to grant broad relief, including a declaration that the law was violated, civil forfeitures where appropriate, and the award of the actual and necessary costs of prosecution, including reasonable attorney fees. Wis. Stat. § 19.97(4). Attorney fees will be awarded under this provision where such an award will provide an incentive to other private parties to similarly vindicate the public's rights to open government and will deter governmental bodies from skirting the open meetings law. *Buswell*, 301 Wis. 2d 178, ¶ 54.
- F. Any member of a governmental body who "knowingly" attends a meeting held in violation of the open meetings law, or otherwise violates the law, is subject to a forfeiture of between \$25 and \$300 for each violation. Wis. Stat. § 19.96. Any forfeiture obtained in an action brought by the district attorney is awarded to the county. Wis. Stat. § 19.97(1). Any forfeiture obtained in an action brought by the Attorney General or a private citizen is awarded to the state. Wis. Stat. § 19.97(1), (2), (4).
- G. In addition to the forfeiture penalty, Wis. Stat. § 19.97(3) provides that a court may void any action taken at a meeting held in violation of the open meetings law if the court finds that the interest in enforcing the law outweighs any interest in maintaining the validity of the action.