

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



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

City of Washburn Direct Legislation Referendum FAQ

This past fall, a group of citizens circulated a petition that would require the City of Washburn to either adopt the attached ordinance or hold a referendum as to whether or not the ordinance should be adopted. A total of 281 valid signatures were received, which exceeded the 164 signatures required. The Council had the choice to either adopt the proposed ordinance as is or send it to referendum at the Spring election in April. The Council could not make any adjustments to the proposed ordinance or challenge the proposed ordinance in advance. If the Council adopted it, the Mayor could not veto the ordinance. The Council voted unanimously not to adopt the proposed ordinance and have it go to a referendum instead. This document is intended to answer some questions of what it means to vote yes or no on the proposed ordinance.

The text of the proposed ordinance is as follows:

- (1) The purpose of this ordinance is to ensure that the City-owned Washburn Lakefront Property, bounded by 6th Avenue to the west, Washington Avenue extended to the east, Holman Lakeview Drive to the north and Lake Superior to the South (the "Lakefront Property"), is not converted to alternative uses without formal referendum approved by the City electorate.
- (2) The Lakefront Property shall not be sold by the City nor converted to any commercial use, including but not limited to campgrounds or similar uses, whether operated by the City or private party, without such sale or conversion being approved in a binding referendum. For purposes of this enactment, commercial use shall mean any use where a fee or rent is charged for exclusive use or exclusive occupancy of the property or any part thereof. Commercial use shall not include the conduct of recreational programs by the City, or picnic shelter rentals provided they are conducted by the City and do not include any overnight stays and further, for all uses, fees charged must reasonably calculated to cover only City costs in providing the program or shelter amenity.

What does a "Yes" vote mean and what does a "No" vote mean? A "Yes" vote means that you are in favor of the ordinance being adopted. A "No" vote means that you are opposed to the ordinance being adopted.

If this ordinance is adopted, will it remain in effect forever? Not necessarily. The ordinance cannot be repealed or amended within two years of adoption except by another referendum. This means it could be

adjusted after two years by the Council.

If this ordinance is adopted, will it stop the City's approved plan to expand Thompson's West End Campground with the addition of full-service RV sites, additional tent sites, a new year-round restroom facility, and four yurts? Partially, if the ordinance is adopted by referendum, only the four yurts would be subject to needing an additional referendum before they could be constructed. The RV sites, tent sites, and restroom would not be impacted but may be delayed because of timing and financing, so adjustments may be necessary.

If this ordinance is adopted, what would happen to the North Coast Community Sailing activities near the Thompson's West End Boat Ramp? For many years, the City of Washburn has had a year-to-year agreement with Recreation and Fitness Resources, Inc. of Bayfield (Bayfield Recreation Center) who manages the North Coast Community Sailing program. The language in the proposed ordinance is not clear enough to prevent a legal challenge to void the renewal of any contract with Recreation and Fitness Resources, Inc. As such, if the Council would like to keep the North Coast Community Sailing program, they will need to consider a longer-term contract with North Coast Community Sailing in order to avoid a potential legal challenge. The term of the contract would need to be long enough (three years or more) to allow a future Council to be able to make an amendment to the ordinance to clarify the language.

Is the City currently considering any plans to sell lakefront property? No. No proposals have been received, and the subject property is not on the list of properties that can be sold.

Can the city still manage the property and build picnic shelters, benches, etc? Yes, as long as no overnight stays are part of the project and any fee that is charged just covers the general annual maintenance.

Are there any other ordinances or policies that would prevent/limit the sale or development of the subject property? Yes. The City currently has an ordinance that governs the sale of City-owned property. It is a process that takes several months to go through that requires the input of City committees and staff as well as the public with a public hearing. In addition, the City has zoning requirements on the property that limit the development that is allowed. The subject property is limited to mostly park uses allowed for the Lakefront Corridor District in the zoning code.