

**PROCEEDINGS OF THE REGULAR COUNCIL MEETING
SUPERIOR, WISCONSIN
TUESDAY, JUNE 20, 2006**

The Regular Meeting of the Common Council was called to order by Council President Finsland at 6:30 p.m. in the Government Center, Board Room 201.

Council Members Present: Tom Quick, Tom Bridge, Kevin Norbie, Jackie Stenberg, Chuck Hendry, Bob Finsland, Nick Milroy, Dennis Dalbec, Esther Dalbec - 9

Council Member Excused: Ed Anderson - 1

Also Present: City Attorney Prell, Deputy City Clerk Kalan

Excused: Mayor Ross

There being a quorum present, meeting was in order, and the Pledge of Allegiance was recited.

MOTION by Councilor D. Dalbec, seconded by E. Dalbec and carried, to approve the minutes of the June 6, 2006 Regular Council meeting.

2ND ORDER

CONSENT AGENDA

MOTION by Councilor D. Dalbec, seconded by Norbie and carried, to separate item number 14, and approve the remainder of the Consent Agenda.

COMMUNICATIONS AND REPORTS RECEIVED AND FILED:

Douglas County

1. Land advertised for sale.

City of Superior

2. City Attorney Prell submitting letter to the Office of the Commissioner of Railroads, in response to the Council's directive of June 6, 2006, to pursue a stay of the closure of Elm Avenue railroad crossing.
3. Fire Chief Matheson advising the Superior Fire Department has been awarded a HazMatID Portable Chemical Identifier from CEDAP (Commercial Equipment Direct Assistance Program); equipment and training has a \$66,000 value and there are no matching costs to the City.
4. Planning Director Serck advising no bids were received for the property advertised for sale adjacent to 2216 Lamborn Avenue, therefore the property may be sold within the next twelve months without advertising. (LS-06-01)

City of Superior Minutes/Reports

5. Mayor's Commission on Disabilities, April 17, 2006.
6. Superior Public Library Board of Trustees, May 11, 2006.

Miscellaneous Communications and Reports

7. Charter Communications advising KQDS-FOX Duluth will be available in High Definition starting July 1, 2006 on channel 781.
8. Superior Douglas County Senior Center, June 2006.

MATTERS REFERRED TO:

Liability Claims Committee and CVMIC

9. #18-06 Tyomie's Bar/ Paul Orloski
10. #19-06 Richard & Lynn Karna

Finance Committee

11. All check register May 1 – 31, 2006.
12. City Attorney Prell requesting review of ordinance amendment to Chapter 2, Article IX Bid Procedures for Certain City Purchases to raise minimum project limit to \$25,000 (from \$15,000) before public bidding is required.
13. Assistant Finance Director Zuchowski, on behalf of the Finance Committee, requesting review of the costs incurred for contracted engineering since the elimination of the Administrative Engineer position.
14. Attorney Gee, on behalf of the Superior Public Museum Board, advising of intention to change the composition of the Board of Directors.
MOTION by D. Dalbec, seconded by E. Dalbec and carried, to refer to the Finance Committee.

Plan Commission

15. Request from Bob Browne to rezone a parcel of land between Catlin and Fisher Avenues and North 4th and 5th Streets from R3, Apartment Residential District to C2, Highway Commercial District. (RZ 06-03)
16. Request from Jeremy Enge-Frey to vacate a 130' x 24' portion of Clough Avenue between Belknap Street and North 16th Street. (VAC06-01)

Mayor Ross

17. Councilor Stenberg requesting Mayor Ross establish a committee to review the Rental Licensing Program.

6th Order – Resolutions

18. Attorney Tofte submitting resolutions:
Approving execution of lease agreement with JB Port Enterprises, Inc. (Barkers Island Property – Capt'n J's Miniature Golf); and
Approving execution of the Parking Permit Agreement with MDI Limited Partnership #98 (New York Building Project).

7th Order - Ordinances

19. Assistant Finance Director Zuchowski submitting ordinance amending composition of the Superior Tourism Development Fund Committee and establish a quarterly meeting obligation.

STANDING COMMITTEE REPORTS APPROVED:

20. Committee of the Whole, June 6, 2006 Special Meeting

1. No action on Chronic Nuisance Premises ordinance presentation.

21. Finance Committee, June 8, 2006

1. To approve the revision to the ordinance for the Tourism Foundation Committee membership as follows:
(b) Membership. The committee membership shall consist of 6 members, subject to council approval. One such member who shall be the president of the chamber of commerce or his/her designee, one who shall be the executive director of the Superior/Douglas County Development Association or his/her designee, two who shall be members of the common council and two who shall be citizens of Superior, Wisconsin, appointed by the mayor, for a term of five years.
(c) Meetings. The committee shall meet a minimum of four times per year – on a quarterly basis. The committee may meet at other times as deemed necessary by the committee.
2. To hold the checking account – banking options in committee.
3. To hold the Barkers Island Marina Phase Two in committee.
4. To hold the review of non-profits assessed payments in lieu of taxes in committee.
5. To approve the payments for publication for May 2006.
6. To receive and file the May 2006 financial statements.

22. License & Fees Committee did not meet in June due to lack of quorum.

3RD ORDER

BUSINESS BY DEPARTMENT HEADS

23. City Clerk Ciccone submitting:
Miscellaneous licenses.

MOTION by Councilor Norbie, seconded by D. Dalbec and carried, to approve.

24. Application to amend the premises of a Class B Liquor and Beer license submitted by Thomas & Patricia Lozon, East End Tavern, 2114 East 5th Street, to include parking lot immediately south of establishment, July 21, 2006, 12:00 noon through July 22, 2006, 2:00 a.m. for special event.
MOTION by Councilor Stenberg, seconded by D. Dalbec and carried, to approve.
25. Community Development Director Young submitting Memorandum of Understanding between the City of Superior, Community Development Division and Catholic Community Services, Inc. for fair housing services.
MOTION by Councilor D. Dalbec, seconded by Stenberg and carried, to approve.
26. Community Development Supervisor Matson requesting the Council authorize:
1. Community Development Office to prepare and submit an application to the State of Wisconsin, Department of Commerce (DOC), for Grant funding through the 2006-08 HOME Single Family Housing Program (HSF) for approximately \$275,000; and the 2006-08 Housing Cost Reduction Initiative Program (HCRI) for approximately \$45,000; (exact amounts to be negotiated with the DOC if application is approved); and
 2. The appropriate city officials to sign:
 - a) all required documents for submission of an application to the State of Wisconsin, Department of Commerce, for the HSF and HCRI Programs; and
 - b) contracts, and any contract amendments arising during the course of the contracts, with the State of Wisconsin for the 2006-08 HSF and HCRI Programs if the grant application is funded.
- MOTION by Councilor Norbie, seconded by D. Dalbec and carried, to approve.**
27. Recommending Installed Weatherization Measures project for 2006-07 be awarded to L.J. Weatherization, Inc. for sole bid of \$387,615.40.
MOTION by Councilor E. Dalbec, seconded by Stenberg and carried, to approve.
28. Assistant Finance Director Zuchowski submitting Superior Municipal Employees Credit Union Lease (Council approved the Finance Committee's recommendation at the June 6, 2006 Council Meeting).
MOTION by Councilor E. Dalbec, seconded by Hendry and carried, to approve.
Councilor D. Dalbec abstained.
29. Planning Director Serck:
Recommending Hallet Dock Company – Dock 8 Rehabilitation be awarded to RJS Construction Group for low bid of \$1,780,327.50.
MOTION by Councilor E. Dalbec, seconded by Hendry and carried, to approve.
30. Recommending approval of lease agreement with 242 Yacht Club of Duluth to utilize Montreal Pier (Elevator O) from June 21, 2006 to December 31, 2006 for lease payment of \$1.
MOTION by Councilor Bridge, seconded by E. Dalbec and carried, to approve.

6TH ORDER

RESOLUTIONS

31. **R06-12683** Resolution approving execution of lease agreement with JB Port Enterprises, Inc. (Barkers Island Property – Capt'n J's Miniature Golf).
MOTION by Councilor Norbie, seconded by D. Dalbec and carried, to adopt the resolution.
32. **R06-12684** Resolution approving execution of the Parking Permit Agreement with MDI Limited Partnership #98 (New York Building Project).
- 32.1 Attorney Toftey submitted the Parking Permit Agreement.
MOTION by Councilor E. Dalbec, seconded by Norbie and carried, to adopt the resolution.

7TH ORDER

ORDINANCES

33. **O06-3592** Ordinance amending City Code Chapter 74, Licenses, Permits and Business Regulations, Section 74-68, Superior Tourism Foundation.
MOTION by Councilor D. Dalbec, seconded by Norbie and carried, to adopt the ordinance.

8TH ORDER

BUSINESS BY PUBLIC

34. Lake Superior Dragon Boat Festival Committee Co-Chair requesting City renew its sponsorship for 2006 festival, and approve support of site issues.
Tom Wondolkowski, Co-Chair, Lake Superior Dragon Boat Festival Committee, thanked the Council for their support.
MOTION by Councilor E. Dalbec, seconded by D. Dalbec and carried, to approve.

Reggie Leckel, 1111 Grand Avenue, spoke to the issues of citizens with disabilities and fair housing.

No action.

MOTION by Councilor Bridge, seconded by Norbie and carried, meeting adjourned at 6:52 p.m.

Respectfully submitted,
Terri Kalan, Deputy City Clerk
City of Superior, Wisconsin

Approved this 5th day of July, 2006

Mayor

Attest: _____
City Clerk