

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday, June 6, 2023**

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

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

Present: Nick Ledin, Jenny Van Sickle, Garner Moffat, Jack Sweeney, Brent Fennessey, Tylor Elm, Mike Herrick, Mark Johnson, Lindsey Graskey – 9

Absent: Ruth Ludwig

Also Present: Mayor Paine, City Attorney Prell, City Clerk Blunt

3. PRESENTATIONS AND PUBLIC HEARINGS

4. APPROVAL OF MINUTES

4.1 May 16, 2023 - Regular Council Meeting

MOTION to approve, by Councilor Herrick, was seconded by Councilor Graskey and carried.

5. CORRESPONDENCE TO BE FILED (*No action*)

5.1 CLAIMS referred to the Liability Claims Committee by City Clerk's Office:

1. Claim No. 23-23, Kayne Weaver (Received 06/01/2023)

6. MAYOR'S REPORT

6.1 Report from Mayor Paine

6.2 Committee Appointment Recommendation(s)

PLANNING COMMISSION:

1. Appoint Laura Gapske for a 3-year term expiring June 2026.
2. Appoint Brian Finstad for a 3-year term expiring June 2026.
3. Appoint Lindsey Graskey for a 1-year term expiring May 2024.
4. Appoint Brent Fennessey for a 1-year term expiring May 2024.
5. Appoint Garner Moffat for a 1-year term expiring May 2024.
6. Appoint Jim Paine for a 1-year term expiring May 2024.

MOTION to approve all six appointments by Councilor Ledin, was seconded by Councilor Graskey, and carried.

- 6.3** Approve **O23-4316** an ordinance amending City Code Chapter 98, Planning, Zoning and Development, Article I, In General, Section 98-2, Plan Commission Established; Composition, to decrease commission composition to seven members.
MOTION to approve by Councilor Graskey, was seconded by Councilor Ledin, and carried.

7. STANDING COMMITTEE REPORTS

- 7.1 Human Resources Committee** (*Meeting held May 15, 2023*)
Report from the Councilor Van Sickle.
- 7.2 Public Works Committee** (*Meeting held June 1, 2023*)
Report from the Councilor Van Sickle.

RECOMMENDATIONS:

1. Approve awarding the Tower Avenue, Belknap Street, and Bong Roundabout Landscape Maintenance contract to Embark Supported Employment for service through December 31, 2023 in the estimated amount of \$77,590.00.
2. Approve **R23-13649**, a resolution which confirms that the 2022 Compliance Maintenance Annual Report has been reviewed by the Common Council.
3. Approve awarding the Low Impact Design Improvements Woodstock Bay contract to Nordic Underwater Services, Inc. in the amount of \$1,429,201.00.
4. Approve awarding the Hill Avenue Interceptor Project contract to Visu-Sewer in the amount of \$826,253.00.
5. Approve waiving bidding requirements and approve purchase 530 garbage carts from Cascade Engineering in the amount of \$33,241.40.
MOTION to approve all five recommendations, by Councilor Van Sickle, was seconded by Councilor Herrick, and carried.

- 7.3 Finance Committee** (*Meeting held May 11, 2023*)
Report from the Councilor Sweeney.

RECOMMENDATIONS:

1. Approve awarding \$10,000 to the Rotary Club of Superior for the 2023 Superior Dragon Boat Festival, as recommended by the Culture, Events and Public Art Commission.
MOTION to approve by Councilor Herrick, was seconded by Councilor Ledin, and carried.

- 7.4 Licenses and Fees Committee** (*No meeting to report*)

- 7.5 Public Safety Committee** (*Meeting held May 25, 2023*)
Report from the Councilor Ledin.

RECOMMENDATIONS:

1. Approve **O23-4314**, an ordinance amending City Code Chapter 112, Traffic Code, Section 112-143, Towing Charges, to increase the tow fee rate.
MOTION to approve by Councilor Ledin, was seconded by Councilor Johnson, and carried.

2. Approve **O23-4315**, an ordinance amending City Code Chapter 112, Traffic Code, Section 112-145, Storage Charges, to increase the daily storage fee rate.
MOTION to approve by Councilor Elm, was seconded by Councilor Ledin, and carried.

7.6 Committee of the Whole Meeting (*No meeting to report*)

8. SPECIAL COMMITTEE REPORTS

8.1 REPORTS WITH RECOMMENDATIONS

8.1.1 Tourism Development Commission (*Meeting held May 16, 2023*)
Report from the Councilor Graskey.

RECOMMENDATIONS:

2. Approve Amendment II to the Professional Services Agreement with Swim Creative, LLC.
MOTION to approve by Councilor Graskey, was seconded by Councilor Johnson, and carried.

8.1.2 Historic Preservation Committee (*Special meeting held May 15, 2023*)
Report from the Mayor Paine and Housing Coordinator & Planner Skrenes.

RECOMMENDATIONS:

1. Approve awarding the Princess Theatre Feasibility Study contract to Theater Projects in the amount of \$65,000.00 with an additional optional services package in an amount not to exceed \$37,000.00.
MOTION to approve by Councilor Ledin, was seconded by Councilor Elm, and failed.

MOTION to refer to Historic Preservation Committee, by Councilor Moffat, was seconded by Councilor Fennessey and carried.

8.2 REPORTS SANS RECOMMENDATIONS

8.2.1 Police and Fire Commission (*Meeting held May 10, 2023 and Special Meeting held May 24, 2023*)
No report from the Chair.

8.2.2 Golf Course Committee *(Meeting held May 15, 2023)*

No report from the Chair.

8.2.3 Culture, Events & Public Art Commission *(Meeting held May 16, 2023)*

No report from the Chair.

8.2.4 Parks & Recreation Commission *(Meeting held May 26, 2023)*

No report from the Chair.

9. OLD BUSINESS

10. NEW BUSINESS

10.1 CITY CLERK BLUNT recommends approval of miscellaneous licenses.

MOTION to approve by Councilor Herrick, was seconded by Councilor Elm, and carried.

10.2 CITY CLERK BLUNT recommending approval of an Amend the Premise application for DHL Management, located at 4700 Tower Ave, (Agent: Daniel Litchke) for Head of the Lakes Fair starting August 1 through 5, 2023.

MOTION to approve by Councilor Johnson, was seconded by Councilor Herrick, and carried.

10.3 CITY CLERK BLUNT recommending approval of an original Class “B” Beer alcohol license application for Pudge’s Tavern, LLC, dba Pudge’s, located at 2223 E 5th Street (Agent: Adam DeMeyer) for a period beginning on July 1, 2023 and ending on June 30, 2024.

MOTION to approve by Councilor Graskey, was seconded by Councilor Sweeney, and carried.

10.4 CITY CLERK BLUNT recommending approval of the Preliminary 2023-2024 Alcohol Report.

MOTION TO AMEND by Councilor Fennessey, was seconded by Councilor Johnson, to:

Move “Top Hat Tavern, 405 Tower Avenue” from list of Alcohol Renewal Applicants Recommended for Approval to list of Applicants with Delinquent Special Assessments, Personal Property Taxes and/or Code Violations

Move “Izzy’s BBQ Lounge & Grill, 1506 N 3rd Street” from list of Applicants with Delinquent Special Assessments, Personal Property Taxes and/or Code Violations to list of Alcohol Renewal Applicants Recommended for Approval

MOTION approved as amended.

- 10.5** CITY CLERK BLUNT recommends approval of a Temporary Class “B” Beer License for Superior Public Museums, Inc. (President Katelyn Baumann, 404 24th Avenue East, Superior, Wisconsin 54880) for “Porchfest at the Meteor” which will be held at the SSMeteor Whaleback, 200 Marina Drive on August 24, 2023.

MOTION to approve by Councilor Fennessey, was seconded by Councilor Elm, and carried.

- 10.6** CITY CLERK BLUNT recommends approval of a Temporary Class “B” Beer and Wine License for Superior Public Museums, Inc. (President Katelyn Baumann, 404 24th Avenue East, Superior, Wisconsin 54880) for “Holiday Sampler” which will be held at the Fairlawn Mansion, 906 East 2nd Street on December 7, 2023.

MOTION to approve by Councilor Herrick, was seconded by Councilor Fennessey, and carried.

- 10.7** CITY CLERK BLUNT recommending approval of a Temporary Class “B” Beer License for The Border Town Betties (President Becky Scherf, 1628 Hughitt Avenue, Superior, Wisconsin 54880) for 4th of July Festival, which will be held at Barker’s Island, 200 Marina Drive on July 4, 2023.

MOTION to approve by Councilor Elm, was seconded by Councilor Herrick, and carried.

- 10.8** CHIEF OF POLICE ALEXANDER recommending approval of a Memorandum of Understanding between the City of Superior Police Department and Wisconsin State Patrol Northwest Region for the participation of Inspector Joshua Lintula with the Superior Police Department Special Weapons and Tactics Team (SWAT).

MOTION to approve by Councilor Ledin, was seconded by Councilor Herrick, and carried.

- 10.9** PLANNING, ECONOMIC DEVELOPMENT AND PORT DIRECTOR SERCK recommending approval of **R23-13650**, a resolution to approve a Development Agreement, Grant Agreements, Primary Lease, and Lease Agreement in connection with the C. Reiss Terminal, LLC Project.

Director Serck presented to the council on the C. Reiss Terminal Project.

MOTION to approve by Councilor Moffat, was seconded by Councilor Elm, and carried.

- 10.10** PLANNING, ECONOMIC DEVELOPMENT AND PORT DIRECTOR SERCK recommending awarding the C. Reiss Dock Project Contract to Northland Constructors of Duluth, Inc. in the amount of \$21,849,000.00.

MOTION to approve by Councilor Fennessey, was seconded by Councilor Herrick, and carried.

There was no objection to Clerk Blunt's request to set a public hearing on June 20th, 2023, for non-renewal of alcohol beverage licenses due to non-compliance.

11. BUSINESS BY PUBLIC

Meeting adjourned at 7:44 p.m.

Respectfully submitted,
Heidi Blunt, City Clerk
Superior, Wisconsin

Approved this 20th day of June, 2023.

Attest:

Acting City Clerk

Mayor