

**AGENDA FOR REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday, September 15, 2009
6:30 p.m. - Government Center, Board Room 201**

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS AND COMMENDATIONS

APPROVAL OF MINUTES August 27, 2009 Special Council and
September 1, 2009 - Regular Council meeting

1ST ORDER

PUBLIC HEARINGS

2ND ORDER

CONSENT AGENDA

The following items may be received and filed, referred, or approved as noted, by the Council utilizing a single vote. There will be no separate action on these items unless a Council member requests, and the Council approves. Communications are on file in the City Clerk's office, and may be viewed in their entirety during regular office hours.

COMMUNICATIONS AND REPORTS TO BE RECEIVED AND FILED:

State of Wisconsin

1. Department of Natural Resources Public Notice of Intent to Reissue a Wisconsin Pollutant discharge elimination system permit by Duluth Winnipeg & Pacific RR Pokegama Yard.

Douglas County

2. Property advertised for sale.

City of Superior Minutes/Reports

3. All checks register for the month of August, 2009.
4. Library Board of Trustees, July 8 and August 12, 2009, meeting minutes.

MATTERS TO BE REFERRED TO:

Committee of the Whole

5. Duluth-Superior Metropolitan Interstate Council Planner, Robert Herling presentation on the MIC Long Range Transportation Plan.
6. George Warren, Operation Lifesaver, power point presentation regarding railroad safety.

Liability Claims Committee

7. Claim #09-27 Nikki McLellan

Plan Commission

8. Arnold & Jane Prochazka request to vacate the alley between 24th and 25th Avenue East and East 8th and 9th Streets. (VAC 09-05)

Urban Forestry Tree Board

9. Councilor Bender is requesting, on behalf of the Douglas County Historical Society, the trees and shrubs (including a boulevard tree) be removed or trimmed, on the vacant lot (City owned) at N. 11th Street and Ogden Avenue.

6th Order – Resolutions

10. Parks & Recreation Administrator Morgan submitting a resolution in support of a Recreational Boating Facilities grant.
11. Police Captain La Lor submitting a resolution in support of a Memorandum of Understanding (MOU) regarding the Child Death Review (CDR) Team, to ensure cooperation between various agencies in the investigation of causes of child death, to prevent future similar deaths.
12. Planner Serck submitting resolutions:
- a) Approving the execution of a Development Agreement, Grant Agreement, and Lease Agreement in connection with the Gavilon Grain, LLC Dock Wall Project.
 - b) Authorizing the execution of a Development Agreement with Ami Real Estate, LLC.
13. Development & Government Affairs Director Vito submitting a resolution approving a modification to the terms of the loan of \$250,000 to the Stender Family Group, LLC in connection with the City of Superior, City/County Complex Parking Project Designated Project Area.

LICENSES TO BE APPROVED: *(all licenses approved contingent upon meeting code requirements)*

City Clerk Kalan submitting:

14. Miscellaneous licenses.
15. Dalbec Investments Inc., Viking Bar, 1501 N. 5th St., application to amend the premise of a Class B Liquor & Beer License for a special event October 3, 2009.

3RD ORDER

BUSINESS BY DEPARTMENT HEADS

Assistant Public Works Director Goetzman recommending:

16. To award the Senior Center Roof Repair bid to the lowest qualified bidder, Banks Roofing and General Contractors, for \$31,678.
17. To award the South Superior Storm Sewer Phase II bid. *(to be distributed at the meeting)*
18. To award the Billings Park Storm Sewer and Water Detention Basin bin. *(to be distributed at the meeting)*
19. **Finance Director** Vito recommending approval of the 2010 - 2011 General Fund Operating Budget, and setting a public hearing for October 20, 2009, 6:30 p.m. in the Government Center Board Room 201.

4TH ORDER

BUSINESS BY THE MAYOR

- 20. **Mayor Ross** reappointing James Cirilli to the Zoning Board of Appeals for a three year term expiring August 2012; and reappointing Dave Stannard to the Community Development Block Grand Advisory Board for a three year term expiring September 2012.

5TH ORDER

BUSINESS BY COUNCILORS

- 21. **Tabled from the September 1, 2009, Regular Council meeting:** Finance Committee August 13, 2009, 3) recommendation to approve Kevin Peterson’s request for a sewage credit in the amount of \$262.88.

6TH ORDER

RESOLUTIONS

- 22. **R09-12898** Resolution introduced by the Department of Parks and Recreation for Developing Recreational Boating Facilities.
- 23. **R09-12899** Resolution introduced by the Police Chief asking the Superior City Council support the Douglas County Child Death Review (CDR)Team.
- 24. **R09-12900** Resolution of the Common Council approving Execution of a Development Agreement, Grant Agreement and Lease Agreement in Connection with the Gavilon Grain LLC Dock Wall Project.
- 25. **R09-12901** Resolution of the Common Council Authorizing Execution of a Development Agreement with Ami Real Estate, LLC.
- 26. **R09-12902** Resolution of the Common Council approving a modification to the terms of the loan of \$250,000 to the Stender Family Group, LLC in connection with the City of Superior, City/County Complex Parking Project Designated Project Area.

7TH ORDER

ORDINANCES

8TH ORDER

BUSINESS BY PUBLIC

If you would like to speak before the Council, please sign your name on the sign-up sheet prior to the Council meeting. Due to requirements of the Wisconsin Open Meetings laws, only matters placed on this agenda may be approved by the Council at this meeting, however, citizens may address the Council regarding items which require no action. No personal attacks on individuals will be allowed, and all comments by members of the public shall be limited to three (3) minutes in length.

Citizens should contact the Mayor, a Councilor, or the City Clerk to have a matter placed on a future Council agenda for consideration.

Pursuant to the Americans with Disabilities Act of 1990, if you are in need of an accommodation to participate in the public meeting process, please contact the City Clerk’s Office at (715) 395-7200 prior to the scheduled meeting. The City will attempt to accommodate any request depending on the amount of notice received. TDD (715) 395-7521.

In compliance with Wisconsin Open Meetings Law, this agenda was:
 Posted: Government Center, Court House, & Public Library,
 Daily Telegram, Media & mailing list notified: September 10, 2009
 Daily Telegram to sign and fax verification of receipt to 395-7264

 Name date