

**AGENDA FOR REGULAR COMMON COUNCIL MEETING  
SUPERIOR, WISCONSIN  
Tuesday, December 17, 2019  
6:30 p.m. - Government Center, Board Room 201**

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

Present: Dan Olson (via telephone), Jenny Van Sickle, Warren Bender, Jack Sweeney, Brent Fennessey, Tylor Elm, Ruth Ludwig, Craig Sutherland, Keith Kern, Esther Dalbec – 10  
Also Present: Mayor Paine, City Attorney Prell, Deputy City Clerk Pettit

**3. PROCLAMATIONS AND COMMENDATIONS**

**4. APPROVAL OF MINUTES** November 12, 2019 - Committee of the Whole and  
November 19, 2019 - Regular Council meeting.

**MOTION by Councilor Bender, seconded by Elm and carried, to approve.**

**5. PUBLIC HEARINGS**

**6. CONSENT AGENDA**

**MOTION by Councilor Bender, seconded by Dalbec and carried, to approve the  
Consent Agenda.**

**Matters Referred:**

Liability Claims Committee

6.1 Claim #19-26, Bass

**Communications and Reports Received and Filed:**

6.2 Liability Claims Committee, September 7, 2019.

6.3 Police and Fire Commission, November 13, 2019.

6.4 Wisconsin Point Committee, November 12, 2019.

6.5 Communications and Information Technology Committee, November 25, 2019.

**7. STANDING COMMITTEE RECOMMENDATIONS FOR APPROVAL**

**7.1 Finance Committee, November 14, 2019**

2) To approve amending the ordinance to waive late fees on utility/garbage for military or other service personnel during deployment, training or other activities and duties.

3) To receive and file the update on 2019 tourism.

- 4) To receive and file the Landfill closure capping and maintenance expense plan review.
- 5) To seek requests for proposals for management of electronic parking citations and collections.
- 6) To refer request for Norvado related to fiber optic infrastructure to the IT Committee.
- 7) To table Amendment I to the Affiliation Agreement between the City and UWS for Wellness internships to a special Finance Committee meeting.
- 8) To receive and file the October, 2019 check register.
- 9) To receive and file the General Fund Financial Statements 2019 Expenditure vs. Budget Analysis.

**MOTION by Councilor Sutherland, seconded by Fennessey and carried, to approve.**

#### **7.2 Finance Committee, November 21, 2019**

- 1) To approve the 2020 Health and Dental Insurance Budget, the 2020 health and dental rates, renewal of third party administrative services with Health Partners for 2020 and approve funding of HSA/HRA deductibles for 2020.
- 2) To table the Amendment of the Affiliation Agreement between the City of Superior and UWS for Wellness Internships to confer with City Attorney on liability wording.

**MOTION by Councilor Bender, seconded by Elm and carried, to approve.**

#### **7.3 Human Resources Committee, November 18, 2019**

- 2) To approve WPPA Local #27 Police – 2020 Wage Reopener (2% wage increase effective 1/1/20 contingent on the Union vote to pass).
- 3) To approve the request for 2% wage increase for Non-Union wage plans effective 1/1/20.
- 7) To approve the revised Salary & Benefit Policy/Handbook, Section 23-Benefits for Non-Union Employees Transferring for an Appendix C Position to an Appendix A or B Position & Benefits for Police or Fire Union Employees transferring to a Non-Union Position (change to allow employees the option to use earned sick leave during their 12-month promotional probationary period).
- 8) To receive and file the Monthly Personnel Report for October 2019.

**MOTION by Councilor Ludwig, seconded by Fennessey and carried, to approve.**

#### **7.4 Plan Commission, November 20, 2019**

- 1) To approve MAC Sport & Marine's request to vacate alleys located near Hughitt Avenue and Broadway Street.
- 2) To approve the request from Barkers Island Development Corporation to place a temporary sign near Marina Drive and East 2<sup>nd</sup> Street.

**MOTION by Councilor Dalbec, seconded by Bender and carried, to approve.**

**7.5 Public Works Committee, November 20, 2019**

- 2) To approve request by St. Francis Xavier Catholic Church 2316 East 4th Street, for two disabled parking spaces (on the East 4th Street side of the church).
- 3) To approve the request from Larry Koski, 1704 East 6th Street, for sidewalk removal.
- 4) To approve the proposed year round route extension from the new trail crossing under the Nemadji Bridge/31st Avenue East/East 5th Street. (Van Sickle voted no).
- 5) To receive and file the relocation of the gate at 44th Avenue East.
- 6) To receive and file Councilors Van Sickle and Ludwig's request for discussion on the history of sidewalk snow removal by the City as well as on identifying opportunities to enhance sidewalk snow removal moving forward.
- 7) To approve the change to eligibility requirements for the Stormwater Flood Control Program. (The proposed change would remove the owner-occupancy restriction and allow participation for any single-family home regardless of ownership).
- 8) To approve the purchase of Silverado pickup trucks for the following divisions - ESD, Sign Shop, Street Department, Parks Department and Building & Grounds.
- 8.1) To approve the purchase of one (1) 2021 Freightliner 114SD Lowboy Tractor for a total cost of \$126,277.00.
- 9) To refer to the Metropolitan Interstate Council, for a more comprehensive discussion, the matter of a permanent electronic speed sign on Highway 2, near Fairlawn Mansion and other places in the City.
- 10) To approve Husky Energy's request to improve their existing pedestrian crossing flasher on Stinson Avenue to a TAPCO RRFB unit to increase employee safety.
- 11) To receive and file the ESD Director's Report.

**MOTION by Councilor VanSickle, seconded by Bender and carried, to separate item #7.1, 4, to be considered with corresponding ordinance, and approve remainder of the Consent Agenda.**

**8. BUSINESS BY DEPARTMENT HEADS**

City Clerk Kalan

- 8.1** Recommending approval of miscellaneous licenses.

**MOTION by Councilor Dalbec, seconded by Bender and carried, to approve.**

- 8.2** Recommending approval of 2020-2021 Election Officials.

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

Finance Director Puetz

- 8.3** Submitting 2020 Library Budget.

**MOTION by Councilor Bender, seconded by Ludwig and carried, to approve.**

- 8.4 Recommending approval of the 2020 Information Services Budget.  
**MOTION by Councilor Elm, seconded by Fennessey and carried, to approve.**
- 8.5 Submitting 2020 Health Insurance Budget.  
**MOTION by Councilor Sutherland, seconded by Bender and carried, to approve.**
- 8.6 Recommending approval of the 2020 Nemadji Golf Course Budget.  
**MOTION by Councilor Olson, seconded by Sweeney and carried, to approve.**
- 8.7 Recommending approval of the 2019 and 2020 TID 13 Budgets.  
**MOTION by Councilor Bender, seconded by Fennessey and carried, to approve.**
- 8.8 Recommending approval to Amendment VI to the Professional Service Agreement with Design Elemental.  
**MOTION by Councilor Elm, seconded by Bender and carried, to approve.**

Environmental Services Director Roberts

- 8.9 Recommending approval of Amendment I to the Professional Agreement for Utility Billing Services with Twin Port Mailing.  
**MOTION by Councilor Dalbec, seconded by Ludwig and carried, to approve.**

Police Chief Alexander

- 8.10 Recommending approval of a three-year contract with Budget Towing, beginning January 1, 2020, for Towing Services.  
 Councilor Sutherland expressed concern with awarding the bid after being notified of code violations. Police Chief Alexander stated that he has been in contact with all parties involved and the violations are being addressed. He noted that the city is able to exit the contract if applicable city ordinances and state laws are not in compliance. Director Janigo discussed violations and noted they are specific for the licenses. He discussed the timeline in which violations are to be corrected.  
**MOTION by Councilor Bender, seconded by Elm and carried, to approve. Roll call vote taken and passed.**  
**AYE – Van Sickle, Bender, Sweeney, Fennessey, Ludwig, Kern.**  
**NO – Olson, Elm, Sutherland, Dalbec.**

- 8.11 Recommending approval of sole sourcing the purchase of an Emergency Operations and Dive Team response vessel through Lake Assault Boats.  
**MOTION by Councilor Dalbec, seconded by Fennessey and carried, to approve.**

Public Works Director Janigo

- 8.12 Recommending approval to renew the Professional Engineering Services Agreement with Weyandt, LLC.  
**MOTION by Councilor Bender, seconded by Elm and carried, to approve.**

**8.13** Requesting to waive the bidding requirements for the purchase of one 2021 Freightliner 114SD Lowboy Tractor from Boyer trucks and Monroe Truck Equipment via the Minnesota Net State Bid for a total cost of \$126,277.

**MOTION by Councilor Bender, seconded by Fennessey and carried, to approve.**

**8.14** Requesting to purchase nine 2020 Chevrolet Silverado work trucks for multiple divisions under the Wisconsin Net State Bid Contract for a total cost of \$381,962.

**MOTION by Councilor Dalbec, seconded by Fennessey and carried, to approve.**

**8.15** Recommending approval of contract with Tire Aggregate LLC of Cloquet, MN, for tire recycling in 2020 at a rate of \$210.00 per ton.

**MOTION by Councilor Fennessey, seconded by Dalbec and carried, to approve.**

Community Development Manager Anderson

**8.16** Recommending approval of the Memorandum of Understanding between the City of Superior and Northwest Wisconsin Community Services Agency, Inc.

**MOTION by Councilor Ludwig, seconded by Fennessey and carried, to approve.**

**Councilor VanSickle abstained.**

**9. BUSINESS BY THE MAYOR**

**9.1** Appointing Barb Hoag and Kevin Gunderson to the Golf Course Committee; and Kat Werchouski to the Mayor's Commission on Communities of Color.

**MOTION by Councilor Fennessey, seconded by Bender and carried, to approve with amendment of a one-year for those appointed to the Golf Course Committee.**

**10. BUSINESS BY COUNCILORS**

**10.1** Council President Fennessey appoint Councilor Sweeney as an alternate to the Golf Course Committee.

**MOTION by Councilor Fennessey, seconded by Bender and carried, to approve.**

**11. RESOLUTIONS**

**11.1 R19-13469** Resolution introduced by the Plan Commission setting a public hearing on January 21, 2020 at 6:30 p.m. in Room 201 of the Government Center to vacate the north-south and east west portions of the alley located near Hughitt Avenue and Broadway Street. (VAC 19-03)

**MOTION by Councilor Dalbec, seconded by Elm and carried, to adopt the resolution.**

**11.2 R19-13470** Resolution introduced by the Finance Director of the City of Superior, Wisconsin, appropriating the necessary funds for the operation of the general city

government and the Administration of the City of Superior, Wisconsin, for the year 2020, and authorizing and directing a tax levy to be spread on the tax roll of the City of Superior, Wisconsin, for the year 2019.

**MOTION by Councilor Elm, seconded by Bender and carried, to adopt the resolution.**

**11.3 R19-13471** Resolution providing for an advisory referendum on the question allowing all streets (subject to law) to be used as ATV and UTV routes in the City of Superior.

**MOTION by Councilor Sutherland, seconded by Bender and carried, to adopt the resolution. Roll call vote taken and passed.**

**AYE – Olson, Bender, Sweeney, Fennessey, Elm, Ludwig, Sutherland, Kern, Dalbec.**

**NO – Van Sickle.**

## **12. ORDINANCES**

**12.1 O19-4174** Ordinance introduced by the Public Works Committee amending Chapter 90 – Parks, Recreation and Forestry, Article VII – Motorized Recreational Vehicles by amending Sec. 90-359 Designated trails/routes, Year Round Road Alley Routes by adding: 31<sup>st</sup> Avenue East from the trail crossing under the Nemadji Bridge to East 5<sup>th</sup> Street; and East 5<sup>th</sup> Street from ~~Stinson Avenue (24<sup>th</sup> Avenue East)~~ 21<sup>st</sup> Avenue East to 31<sup>st</sup> Avenue East.

Councilor Van Sickle expressed concern with the ordinance based on discussions she has had with citizens. She stated the support is primarily with special interest groups, rather than the residents that are directly impacted. She also questioned the revenue, hotel stays and benefits to local businesses that was previously discussed, as the council has not been provided documentation to prove so.

**MOTION by Councilor Bender, seconded by Kern and carried, to adopt the ordinance.**

**12.2 O19-4175** Ordinance introduced by the Public Works Committee amending Chapter 112, Traffic Code, Schedule J, Disabled Parking Zones by adding: 2316 East 4<sup>th</sup> Street (St. Francis Xavier Church), two disabled spaces on the East 4<sup>th</sup> Street side entrance of the church.

**MOTION by Councilor Dalbec, seconded by Bender and carried, to adopt the ordinance.**

**12.3 O19-4176** Ordinance introduced by Mayor Paine amending various sections of the City Code to waive late fees on utility/garbage and recycling fees for military or other service personnel during deployment, training or other activities and duties.

**MOTION by Councilor Dalbec, seconded by Elm and carried, to adopt the ordinance.**

**13. BUSINESS BY PUBLIC**

Gerald Osgan, Poocher Pet Shuttle, asked council to reconsider ordinance that outlines the requirements for a Vehicle for Hire license.

Jason Dose, partial owner Twin Ports Diesel and Auto, asked council to support a resolution regarding a joint lease between the adjoining local business and the City of Superior, to use the vacant city lot on the corner of 14<sup>th</sup> and Ogden.

Meeting adjourned at 7:23 p.m.

Respectfully submitted,  
Terri Kalan, City Clerk  
Superior, Wisconsin

Approved this 7<sup>th</sup> day of January, 2020.

Attest:

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Mayor

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City Clerk