

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday, July 21, 2020**

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, Warren Bender, Jack Sweeney, Brent Fennessey, Tylor Elm (via video conference), Ruth Ludwig, Craig Sutherland (via video conference), Keith Kern, Esther Dalbec (via telephone) – 10

Also Present: Mayor Paine, City Clerk Kalan

3. PROCLAMATIONS AND COMMENDATIONS

4. APPROVAL OF MINUTES July 7, 2020 - Regular Council meeting.

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

5. PUBLIC HEARINGS

MOTION by Councilor Dalbec, seconded by Bender and approved, to suspend the rules and hear item #11.1 out of order, and concurrently with item #7.2.

6. CONSENT AGENDA

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

Communications and Reports Received and Filed:

6.1 Communications and Information Technology Committee, July 6, 2020.

6.2 Wisconsin Point, Wisconsin Point Road, State and National Register of Historic Places nomination.

6.3 Small Business Economic Relief Grant update.

6.4 Human Resource Committee, June 15, 2020.

6.5 Public Works Committee, June 17, 2020.

6.6 Community Development Block Grant Advisory Board, July 14, 2020.

7. STANDING COMMITTEE RECOMMENDATIONS FOR APPROVAL

7.1 Finance Committee, July 9, 2020

3) To approve a sewer credit request in the amount of \$39,606.27 to the Superior Housing Authority.

5) To table the Hotel-Motel ordinance revision so it could be discussed in more length at the next committee meeting.

7) To receive and file the golf course financials.

- 8) To receive and file the June, 2020 check register.
- 9) To receive and file the General Fund Financial Statements – 2019 & 2020 Expenditure vs. Budget Analysis.

MOTION by Councilor Kern, seconded by Fennessey and carried, to approve.

7.2 Committee of the Whole, July 13, 2020

- 1) To approve recommendation to approve a resolution introduced by Councilor Dalbec mandating the use of face coverings in indoor areas accessible to the public and while riding in any public bus or taxicab, unless exempted, in the City of Superior beginning July 27, 2020 and continuing until September 25, 2020, or the expiration of the City of Superior’s existing State of Emergency or until action is taken by the Common Council to rescind this resolution. (To be discussed under item 11.1)

Considered concurrently with item #11.1.

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.

Planning Director Serck

- 8.2** Recommending approval of a request from Robert McMeekin to purchase a parcel of land located near Albany Avenue and North 58th Street in the amount of \$4,125.

MOTION by Councilor Ledin, seconded by Bender and carried, to approve.

Public Works Director Janigo

- 8.3** Recommending approval to award Engineering Services for the Sustain Our Great Lakes Barker’s Island project to LHB Corp. at a proposed amount of \$92,787.

MOTION by Councilor Dalbec, seconded by Ludwig and carried, to approve.

9. BUSINESS BY THE MAYOR

10. BUSINESS BY COUNCILORS

11. RESOLUTIONS

- 11.1 R20-13512** Resolution introduced by Councilor Dalbec mandating the use of face coverings in indoor areas accessible to the public and while riding in any public bus or taxicab, unless exempted, in the City of Superior beginning July 27, 2020 and continuing until September 25, 2020, or the expiration of the City of Superior’s existing State of Emergency or until action is taken by the Common Council to rescind this resolution.

Caleb Robertson and Shawn Smith spoke in opposition to resolution. Waylon Jensen spoke in support of resolution. Councilor Bender on behalf of Ken Gerasimos, spoke in opposition to resolution.

Mayor Paine recommended three amendments to resolution and asked that each one be considered individually.

1. Amend section “A. Restaurants and Taverns” to read: All employees must wear a face covering while working in areas open to the public or handling food, beverage, utensils, or equipment, and all customers must wear a face covering except when actively eating or drinking or unless otherwise exempted below.
MOTION by Councilor Bender, seconded by Van Sickle and carried, to approve amendment.
2. Add to the end of the list of exemptions “# Religious activities”.
MOTION by Councilor Elm, seconded by Fennessey and carried, to approve amendment.
3. Add to the end of the list of exemptions “# Institutions of higher education, public and private kindergarten through twelfth grade schools, and licensed childcare or youth facilities that are following Wisconsin Economic Development Corporation or Wisconsin Department of Children and Families guidelines as applicable”
MOTION by Councilor Bender, seconded by Ledin and carried, to approve amendment.

Councilor Kern asked for clarification on ‘actively eating and drinking’ as well as enforcement.

MOTION by Councilor Kern, seconded by Sutherland, to replace the word ‘mandate’ with ‘strongly encourage’. Roll call vote failed due to lack of majority.

AYE – 2 Sutherland, Kern

NO – 8 Ledin, Van Sickle, Bender, Sweeney, Fennessey, Elm, Ludwig, Dalbec

Councilor Kern asked to strike the final paragraph that reference licensure and economic incentives relating to offences and violations of compliance to resolution.

MOTION by Councilor Kern, seconded by Sutherland to strike the final paragraph in reference to offences and violations. Roll call vote failed due to lack of majority.

AYE – 2 Sutherland, Kern

NO – 8 Ledin, Van Sickle, Bender, Sweeney, Fennessey, Elm, Ludwig, Dalbec

MOTION by Councilor Dalbec, seconded by Bender and carried, to adopt the resolution as amended, carried by roll call vote.

**AYE – 9 Ledin, Van Sickle, Bender, Sweeney, Fennessey, Elm, Ludwig,
 Sutherland, Dalbec**

NO – 1 Kern

12. ORDINANCES

12.1 O20-4200 Ordinance introduced by the Common Council of the City of Superior amending City Code Chapter 112 – Traffic Code, Schedule J, Disabled Parking Zones, by removing 713 Weeks Avenue (both sides).

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

12.2 O20-4201 Ordinance introduced by the Common Council of the City of Superior amending City Code Chapter 112 – Traffic Code, Schedule J, Disabled Parking Zones, by adding 1922 N 11th Street (both sides).

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

13. BUSINESS BY PUBLIC

Meeting adjourned at 7:06 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 4th day of August, 2020.

Attest:

Mayor

City Clerk