

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
March 6, 2012**

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

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL Dan Olson, Tom Bridge, Warren Bender, Jackie Stenberg, Denise McDonald, Len Joyal, Bob Finsland, Mike Herrick, Mick MacKenzie – 9

Excused: Bob Browne – 1

Youth Councilors: Zachary Sather, Mike Nowicki

Also Present: Mayor Hagen, City Attorney Prell, City Clerk Kalan

3. PROCLAMATIONS AND COMMENDATIONS

4. APPROVAL OF MINUTES - February 1, 7, 14, and 24, 2012 - Council meetings
MOTION by Councilor Bender, seconded by McDonald and carried, to approve.

5. PUBLIC HEARINGS

5.1 R12-13045 Resolution introduced by the Plan Commission to vacate Wellington St. between Wisconsin and Ohio Avenues. (*VAC 11-07, Lundquist*)

No one spoke in favor of or opposition to the proposed vacation.

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

6. CONSENT AGENDA

MOTION by Councilor Finsland, seconded by Bridge and carried, to approve the Consent Agenda.

6.1 Wisconsin DNR Floodplain Zoning Ordinance approval. *r/f*

6.2 All checks register for the month of January, 2012. *r/f*

6.3 Metropolitan Interstate Council January 18, 2012, meeting summary. *r/f*

6.4 Police and Fire Commission February 8, 2012 meeting minutes. *r/f*

6.5 Redevelopment Authority of the City of Superior, February 20, 2012 proceedings. *r/f*

6.6 Claim #12-4, Catherine Metcalfe. *refer to Claims Cmt*

6.7 Claim #12-5, James West. *refer to Claims Cmt*

6.8 Claim #12-6, Roxanne Werner. *refer to Claims Cmt*

6.9 Councilor MacKenzie is requesting review of possible slow speed signage in the area of Beacon and Overlook Lanes. Also review possibility of street light installation at the intersections of Texas Avenue and Beacon Lane and Overlook and Beacon Lanes. *refer to PW Cmt*

6.10 Councilor's Bridge and Browne are requesting review of Sec. 90-146 – City Forester, to require Council approval prior to cutting trees/brush. *refer to PW Cmt*

6.11 Human Resources Committee, February 13, 2012 *recommendations for approval*

- 1) Approve the carryover of floating holiday hours for Adam Johnson.
- 4) Approve the revised Health Plan Eligibility Requirements Policy #11.01 B.
- 5) Receive and file the January 2012 Personnel Report.

6.12 License and Fees Committee, February 13, 2012 *recommendation for approval*

- 1) Approve the Original Class B Liquor & Beer license application submitted by Red Mug Espresso, LLC, trade name Red Mug Coffee House and Bake Shop, 916 Hammond Ave.

6.13 Plan Commission, February 15, 2012 *recommendations for approval*

- 1) Approve administrative request to submit a Certified Survey Map in the vicinity of Tower Ave. and N. 46th St. (CSM 12-01, Kestrel Aircraft Company, Inc. and Aero Properties, LLC)
- 2) Approve administrative request to rezone property in the vicinity of Tower Avenue & N. 46th St. from SUB, Suburban District to M1, Manufacturing – Light District. (RZ 12-01, Kestrel Aircraft Company, Inc. and Aero Properties, LLC).
- 3) Approve administrative request to vacate a portion of N. 46th St. and Hammond Avenue. (VAC 12-01, Kestrel Aircraft Company, Inc. and Aero Properties, LLC)

6.14 Public Works Committee, February 15, 2012 *recommendations for approval*

- 1) Hold in Committee Councilors concerns re: overage of \$989,238.70 for the Cell 5 construction project at the landfill.
- 2) Approve Councilor Browne's request to eliminate calendar parking on Oakes Avenue between Winter and Belknap Streets.
- 3) Receive and file the 2012 Fleet Vehicle purchases list.
- 4) Approve Councilor Bender's request to remove permit parking signs on the 1600 block of N. 29th Street.

6.15 Approve miscellaneous licenses. *City Clerk Kalan*

6.16 Approve applications to amend the premise of a Class B Liquor & Beer License; and a One Day Cabaret, for KTO Inc., Trade Name O'Neill's Pub & Liquor, 3333 Tower Avenue, March 17th for a special event. *City Clerk Kalan*

6.17 Approve original applications for a Class B Beer, and C Wine license by Kodi A. Brunner, trade name Billings Park Café, 1802 Iowa Avenue, for the license period March 7 through June 30, 2012.

7. BUSINESS BY DEPARTMENT HEADS

7.1 Jason Serck, Planning and Port Director, recommending approval of the Lease and Facility Use Agreement with the Northeast-Midwest Institute for leasing land at Montreal Pier.
MOTION by Councilor McDonald, seconded by Stenberg and carried, to approve.

7.2 Jeff Goetzman, Public Works Director, recommending to award the design services contract for Phase 2 of the Landfill Containment Cell 5 to S.E.H. Inc., in the amount of \$79,050.
MOTION by Councilor Bender, seconded by Stenberg and carried, to approve.

7.3 Jeff Goetzman, Public Works Director, recommending to award the contract for the Animal Shelter Construction Design Services to Animal Arts, Inc., in the amount of \$148,200., for the design of the building, and \$9,200 for the design of the dog park.
MOTION by Councilor MacKenzie, seconded by Bender and carried, to approve.

8. BUSINESS BY THE MAYOR

9. BUSINESS BY COUNCILORS

9.1 Youth Councilor Sather reported on Superior Days in Madison.

10. RESOLUTIONS

10.1 **R12-13046** Resolution introduced by the Plan Commission setting a public hearing at 6:30 p.m. on the 17th day of April, 2012 in Board Room 201 of the Government Center, to vacate and discontinue a portion of N. 46th St. and a portion of Hammond Avenue. (VAC 12-01, Kestrel Aircraft Company, Inc. and Aero Properties, LLC)
MOTION by Councilor Bridge, seconded by Bender and carried, to adopt the resolution.

10.2 **R12-13047** Resolution introduced by the Planning Department setting a public hearing at 6:30 p.m. on the 17th day of April, 2012 in Board Room 201 of the Government Center, to rezone property in the vicinity of Tower Avenue & N. 46th St. from SUB, Suburban District to M1, Manufacturing – Light District. (RZ 12-01, Kestrel Aircraft Company, Inc. and Aero Properties, LLC).
MOTION by Councilor Bridge, seconded by McDonald and carried, to adopt the resolution.

10.3 **R12-13048** Resolution introduced by the Plan Commission setting a public hearing at 6:30 p.m. on the 17th day of April, 2012, in Board Room 201 of the Government Center, to amend the Community Development Block Grant (CDBG) Citizen Participation Plan.
MOTION by Councilor Herrick, seconded by Bridge and carried, to adopt the resolution.

10.4 **R12-13049** Resolution introduced by the Community Development Division setting a public hearing at 6:30 p.m. on the 17th day of April, 2012, in Board Room 201 of the Government Center, to request comments on Community Development Needs and Fair Housing Choice.
MOTION by Councilor Bender, seconded by Herrick and carried, to adopt the resolution.

10.5 R12-13050 Resolution of the City of Superior, Approving an Assignment and Assumption of Dock Wall Lease between BNSF Railway Company and General Mills Operations, LLC.
MOTION by Councilor MacKenzie, seconded by Olson and carried, to adopt the resolution.

11. ORDINANCES

11.1 O12-3798 Ordinance introduced by the City Attorney amending City Code Section 1-14, Citations and Deposit for Violation of Certain Provisions by adding: (5) In accordance with WI Statutes Section 938.343(2) a violation of any ordinance which is only applicable to a person under the age of 18: \$50.00.
MOTION by Councilor Herrick, seconded by Olson and carried, to adopt the ordinance.

11.2 O12-3799 Ordinance introduced by the Public Works Department amending Chapter 112, Traffic Code, Sch. K, Disabled – Do Not Block Sidewalk by adding: 1228 Catlin Avenue, side door on N. 13th St.
MOTION by Councilor Joyal, seconded by Finsland and carried, to adopt the ordinance.

11.3 O12-3800 Ordinance introduced by the Public Works Department amending Chapter 112, Traffic Code, Sch. J, Disabled Parking Zones by adding: 1204 Harrison St. (both sides).
MOTION by Councilor Joyal, seconded by Bender and carried, to adopt the ordinance.

11.4 O12-3801 Ordinance introduced by the Public Works Committee amending the Chapter 112, Traffic Code, Sch. L, Permit Parking on City Streets, Sec. 2, Business and Residential Areas by removing N. 29th St. Ogden Avenue to John Avenue.
MOTION by Councilor Olson, seconded by MacKenzie and carried, to adopt the ordinance.

11.5 O12-3802 Ordinance introduced by the Public Works Committee amending the Chapter 112, Traffic Code, Sch. I, Streets Excluded from Calendar Parking by adding Oakes Avenue between Winter and Broadway Streets.
MOTION by Councilor MacKenzie, seconded by Herrick and carried, to adopt the ordinance.

12. BUSINESS BY PUBLIC

MOTION by Councilor Finsland, seconded by Bender and carried, to adjourn meeting at 6:52 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 20th day of March, 2012.

Attest:

Mayor

City Clerk