

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
April 3, 2013**

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, Denise McDonald, Lew Martin, Bob Finsland, Mike Herrick, Mick MacKenzie, Bob Browne – 8
Excused: Warren Bender, Jackie Stenberg - 2
Also Present: Mayor Hagen, City Attorney Prell, City Clerk Kalan

3. PROCLAMATIONS AND COMMENDATIONS

Council President Herrick proclaimed April 14 – April 20th as Volunteer Recognition Week.

- 4. APPROVAL OF MINUTES** – March 5, 2013 - Regular Council meeting.
MOTION by Councilor Olson, seconded by McDonald and carried, to approve.

5. PUBLIC HEARINGS

- 5.1 O13-3831** Ordinance Introduced by the Planning Department to Amend Chapter 122, Zoning Code and Zoning Map, of the City of Superior, to rezone property south of N. 28th Street in the vicinity of Catlin and weeks Avenues from SUB Suburban, R1B, Single Family Residential and R3, Apartment Residential Districts to R2, Two Family Residential District. (RZ 12-03, Gustafson)
Speaking in favor of the ordinance: Pattie Soliday, 7 Quechee St.
MOTION by Councilor Olson, seconded by Finsland and carried, to adopt the ordinance.

6. CONSENT

City Clerk Kalan advised of addition 6.18A, referral from Fire Chief Panger to the Public Safety Committee.

MOTION by Councilor Finsland seconded by McDonald and carried, to separate item # 6.21 1) and approve the remainder of the Consent Agenda.

Communications and Reports Received and Filed:

- 6.1** All checks register for the month of February.
6.2 Diane Nelson, Environmental Services Division, is submitting the 2013 Stormwater Permit Annual Report.
6.3 Duluth-Superior Metropolitan Interstate Council, February 20, 2013, meeting summary.
6.4 Duluth Transit Authority Board of Directors, January 30, 2013, meeting minutes.

- 6.5 Human Resources Committee, March 11, 2013 meeting minutes.
- 6.6 Mayor's Commission on Disabilities, November 19, 2012; and January 21, 2013 minutes.
- 6.7 Police and Fire Commission, March 13, 2013, minutes
- 6.8 Superior Public Library Strategic Plan 2013-17.

Matters Referred to:

Liability Claims Committee:

- 6.9 Claim #13-9, Mike Lowe
- 6.10 Claim #13-10, Gail Rindahl
- 6.11 Claim #13-11, Jeff Manion
- 6.12 Claim #13-12, Kathie Young
- 6.13 Claim #13-13, Aaron Miller

Public Works Committee:

- 6.14 Councilor Bender is requesting possibility of yield signs at N. 22nd and Hughitt Avenue.
- 6.15 Councilor Bender is requesting a review of the permit parking in the UWS area.
- 6.16 Councilor Stenberg is requesting a crosswalk and pedestrian signage near Enbridge Energy, 119 N. 25th St. East, to the Mariner Mall daycare facility.
- 6.17 Councilor Browne is requesting reinstatement of calendar parking on Clough Avenue between N. 6th and 7th Streets. (*Repealing O12-3821 adopted 11-7-12*)

License and Fees Committee:

- 6.18 Councilor Browne is requesting to review possibility of amending the City Code to include licensing cats.

Public Safety Committee

- 6.18A Fire Chief Panger requesting referral of the dive vehicle bid process.

Standing Committee Reports Approved:

6.19 Finance Committee, March 14, 2013

- 2) Approve a sewage credit for National Bank of Commerce for the building located at 3701 Tower Avenue in the amount of \$1184.96.
- 3) Receive and file the January and February 2013 Internal Auditor Activity Summary.
- 4) Receive and file the January and February 2013 All Checks Register.
- 5) Receive and file the January and February 2013 Financial Statements.

6.20 Public Works Committee, February 27, 2013

- 1) Held in Committee, updates to Chp 34 and 104 of the City Code.
- 2) Councilor Finsland's request to review parking at 1830 Tower Ave. was withdrawn by constituent.

6.21 Public Works Committee, March 7, 2013

- 1) Approve revised Chapters 34 and 104 of the City Code of Ordinances.
- 2) Approve Councilor Herrick's request to amend the City Code prohibiting persons from depositing snow onto another's private property.

6.21 1): Councilor Browne and Olson spoke of concerns regarding Chapter 34 and requested referral back to Public Works Committee.

MOTION by Council Members MacKenzie, seconded by Olson and carried to refer Chapter 34 back to Public Works Committee.

6.22 Public Safety Committee, March 13, 2013

- 1) To move ahead with bid process for Dive vehicle and refer to City Council for approval at the April 3, 2013 meeting.
- 2) To hold Fire Department Inspection reports in committee, pending review of the new codes at the April Public Safety meeting.

Licenses Approved:

6.23 Approve miscellaneous licenses. *City Clerk Kalan*

6.24 Approve applications for Six-month Class B Liquor & Beer; and Cabaret licenses by Head of the Lakes Management Group, Inc.; Trade name Head of the Lakes Fair & Superior Speedway, 4700 Tower Avenue; Jerry Schnell Agent; for license period April 15 – October 15, 2013. *City Clerk Kalan*

7. BUSINESS BY DEPARTMENT HEADS

7.1 Finance Director Vito is recommending the following changes to the 2013 General Fund Budget: Increase grant revenue by \$218,000 to account for the two positions covered by the SAFER grant; increase the building inspection demolition line item by \$150,000; increase the fire department equipment line by \$40,000 for turnout gear; and leave the balance of \$28,000 in the contingency line item for unanticipated expenses.

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

7.2 Planning Director Serck, on behalf of Superior Public Museums (Fairlawn Mansion), is requesting authorization to place signs in the City Right of Way for the annual Garden Market, (May 15th) at the Superior National Guard Armory, one week prior to the event.

MOTION by Councilor Herrick, seconded by Bridge and carried, to approve.

7.3 Planning Director Serck is requesting authorization to:

Award the General Mills Dock Wall Rehabilitation project to RJS Construction Group for \$4,681,625.00.

MOTION by Councilor Olson, seconded by Browne and carried, to approve.

7.4 Award the Observation Services for the General Mills Dock Wall Rehabilitation Project to AMI Consulting Engineers P.A. in the amount of \$74,500.00.

MOTION by Councilor Herrick, seconded by McDonald and carried, to approve.

Public Works Director Goetzman is requesting authorization to:

7.5 Sell excess and obsolete fleet vehicles.

MOTION by Councilor Olson, seconded by Bridge and carried, to approve.

7.6 Cancel the land lease agreement with S & K Aviation at the Richard I. Bong Memorial Airport and enter into a new land lease agreement with Midwest Aviation.

MOTION by Councilor Bridge, seconded by McDonald and carried, to approve.

7.7 Award the part-time Observation Services for the Tower Avenue Reconstruction project to S.E.H. Inc., for an estimated \$51,000.00.

MOTION by Councilor Herrick, seconded by Bridge and carried, to approve.

7.8 Award the Combined Sewer Treatment Plant 2 Dredging Project to Synagro in the amount of \$549,795.50.

MOTION by Councilor Olson, seconded by Browne and carried, to approve.

8. BUSINESS BY THE MAYOR

Mayor Hagen presented plaques of appreciation to outgoing Councilors Bridge, Stenberg and Martin and thanked them for their service.

8.1 Mayor Hagen is establishing the Wisconsin Point Plan Implementation Committee by appointing the following members: Tom Bridge (Citizen); Nick Danz (UWS); Keith Allen (Douglas County); John Gozdialski (WI Dept. of Natural Resources); and Chuck Walt (Fond du Lac Band of Lake Superior Chippewa).

MOTION by Councilor Bridge, seconded by McDonald and carried, to approve.

9. BUSINESS BY COUNCILORS

10. RESOLUTIONS

10.1 R13-13113 Resolution of the City of Superior authorizing the transfer of land located on Connors Point to the Redevelopment Authority of the City of Superior.

MOTION by Councilor Herrick, seconded by McDonald and carried, to adopt the resolution.

10.2 R13-13114 Resolution introduced by Councilor Browne Supporting the Proclamation of International Migratory Bird Day in the City of Superior.

MOTION by Councilor McDonald, seconded by MacKenzie and carried, to adopt the resolution.

10.3 R13-13115 Resolution introduced by the Community Development Division, setting a public hearing for May 7, 2013, for the 2012 Consolidated Annual Performance and Evaluation Report (CAPER).

MOTION by Councilor Herrick, seconded by Bridge and carried, to adopt the resolution.

10.4 R13-13116 Resolution introduced by Councilor Olson to call upon American Crystal Sugar Management to end the lockout and negotiate a fair contract.
MOTION by Councilor Olson, seconded by MacKenzie and carried, to adopt the resolution.

10.5 R13-13117 Resolution introduced by the Common Council of the City of Superior Approving a three year Harbor Development Statement of Intentions for the Years 2013-2016.
MOTION by Councilor Browne, seconded by Bridge and carried, to adopt the resolution.

11. ORDINANCES

11.1 O13-3827 Ordinance introduced by the Building Inspection Department, repealing and recreating Chapter 34, The Construction Code, of the City of Superior.
(Referred to Public Works Committee under item #6.21 1)

11.2 O13-3828 Ordinance introduced by the Building Inspection Department, repealing and recreating Chapter 104, Property Maintenance and Housing Code, of the City of Superior.
MOTION by Councilor Finsland, seconded by Bridge and carried, to adopt the ordinance.

11.3 O13-3829 Ordinance introduced by the Parks and Recreation Administrator repealing Chapter 90, Article V, Weed Control.
MOTION by Councilor Olson, seconded by Herrick and carried, to adopt the ordinance.

11.4 O13-3830 Ordinance introduced by the Common Council amending City Code Chp 112, Traffic Code, Sch J, Disabled Parking Zones, by adding 907 Hammond Avenue, one side.
MOTION by Councilor Herrick, seconded by McDonald and carried, to adopt the ordinance.

MOTION by Councilor Bridge, seconded by Herrick and carried, to adjourn meeting at 7:25 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 16th day of April, 2013.

Attest:

Mayor

City Clerk