

PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday, March 7, 2023

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, Jack Sweeney, Brent Fennessey, Tylor Elm, Ruth Ludwig, Mike Herrick, Mark Johnson, Lindsey Graskey – 9

Absent: N/A

Also Present: Mayor Paine, City Attorney Prell, Deputy City Clerk Blunt

3. PRESENTATIONS AND PUBLIC HEARINGS

3.1 PUBLIC HEARING to request comments on Community Development Needs and Fair Housing Choices.

3.2 One Roof Community Housing Presentation
by Noah Hobbs, Strategy and Policy Director

4. APPROVAL OF MINUTES

4.1 February 7, 2023 - Regular Council Meeting
MOTION to approve, by Councilor Herrick, was seconded by Councilor Graskey and carried.

5. CORRESPONDENCE TO BE FILED (*No action*)

5.1 2022 MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) ANNUAL REPORT submitted by Environmental Services Division.

5.2 CLAIMS referred to the Liability Claims Committee by City Clerk's Office:

1. Claim No. 23-04, Devin Wickstrom (Received 02/08/2023)

2. Claim No. 23-05, Superior Savings Bank (Received 02/09/2023)

3. Claim No. 23-06, State Farm Mutual Automobile Insurance Company A/S/O Ashley K. McGuire (Received 02/22/2023)

5.3 FINANCE DIRECTOR RHINEHART submitting the 2022 Audit Planning Communication.

5.4 FINANCE DIRECTOR RHINEHART submitting the Quarter 4 2022 Investment Review.

6. MAYOR'S REPORT

6.1 Report from Mayor Paine

7. STANDING COMMITTEE REPORTS

7.1 Human Resources Committee (*No meeting to report*)

7.2 Public Works Committee (*Meeting held February 2, 2023*)
Report from the Councilor Van Sickle.

RECOMMENDATIONS:

1. Approve request to sell surplus vehicles and equipment by auction in 2023.
2. Approve Amendment III to the Professional Services Agreement with Donohue & Associates, Inc.
3. Approve renewing the landfill contract with Orion Environmental Services LLC in an amount NTE \$2,000.00 per month.
4. Approve awarding the 21st Avenue East Sanitary Branch Sewer Partial Replacement Project to Badger Excavating, Inc. in the amount of \$55,736.00.
5. Approve awarding the N. 28th St. & Tower Avenue Sanitary Sewer Replacement Project to Badger Excavating, Inc. in the amount of \$57,232.00.
6. Approve awarding the East Second Street Corridor Wet Weather Capacity Improvements project to SEH, Inc. in the amount of \$219,550.00.
7. Approve awarding a professional engineering services agreement with Ayres Associates, Inc.
8. Approve awarding the 2023 Portable Toilet Services contract to Mr. Biffy, LLC.
9. Approve **R23-13643**, a resolution of the City of Superior, Wisconsin granting temporary limited easements for roadway work on Lenroot Drive as part of the 2025 U.S. 53 East 2nd Street Resurfacing Project and E Street Intersection Safety Project.

MOTION to approve all nine recommendations, by Councilor Van Sickle, was seconded by Councilor Ludwig and carried.

7.3 Finance Committee (*Meeting held February 9, 2023*)
Report from Councilor Sweeney.

RECOMMENDATIONS:

1. Approve the 2023 Economic Development Fund Budget.
2. Approve the suspension of penalty fees to Douglas County for outstanding Landfill invoices in the amount of \$17,769.00.

MOTION to approve both recommendations, by Councilor Sweeney, was seconded by Councilor Elm and carried.

7.4 Licenses and Fees Committee *(No meeting to report)*

7.5 Public Safety Committee *(Meeting held February 16, 2023)*

Report from Councilor Ledin.

RECOMMENDATIONS:

1. Approve **O23-4302**, an ordinance amending City Code Chapter 112 - Traffic Code, Article III, Parking, Schedule C, No Parking on Odd-Numbered Side of Street, to include North 11th Street (Catlin Avenue East to Dead End).

MOTION to approve, by Councilor Graskey, was seconded by Councilor Johnson and carried.

2. Approve **O23-4303**, an ordinance amending City Code Chapter 22, Article I, Animals, Section 22-1 Definitions.

MOTION to approve by Councilor Fennessey, seconded by Councilor Johnson.

MOTION TO AMEND by Councilor Herrick to strike “b. Billings Park Civic Center – 18th Street/New York Avenue” from Section 2 of Off leash Areas, was seconded by Councilor Sweeney and carried.

MOTION approved as amended.

3. Approve **O23-4304**, an ordinance amending City Code Chapter 22, Article I, Animals, Section 22-3. – Owners to exercise proper control of their animals; penalty.

MOTION to approve, by Councilor Fennessey, was seconded by Councilor Johnson and carried.

4. Approve awarding the Fire Station 1 Solar System Design Build contract to Cedar Creek Energy in the amount of \$364,750.00.

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

7.6 Committee of the Whole Meeting *(No meeting to report)*

8. SPECIAL COMMITTEE REPORTS

8.1 REPORTS WITH RECOMMENDATIONS

8.1.1 Wisconsin Point Committee *(Meeting held February 7, 2023)*

Report from the Councilor Van Sickle.

RECOMMENDATIONS:

1. Approve submitting a federal funding proposal for birding trail and cultural components.
MOTION to approve, by Councilor Graskey, was seconded by Councilor Ludwig and carried.

8.1.2 Redevelopment Authority (*Meeting held February 27, 2023*)

Report from the Mayor Paine.

RECOMMENDATIONS:

1. Approve **R23-13641**, a resolution of the City of Superior, Wisconsin approving the Report of the Redevelopment Authority of the City of Superior Regarding the First Amendment to Purchase Agreement with Chas A. Bernick, Incorporated.
MOTION to approve, by Councilor Herrick, was seconded by Councilor Graskey and carried.

8.2 REPORTS SANS RECOMMENDATIONS

8.2.1 Marina Committee (*Meeting held October 19, 2022*)

No report from the Chair.

8.2.2 Urban Tree Forestry Board (*Meeting held January 19, 2023*)

Report from the Councilor Ludwig.

8.2.3 Parks & Recreation Commission (*Meeting held January 26, 2023*)

No report from the Chair.

8.2.4 Culture, Events & Public Art Commission (*Meeting held February 15, 2023*)

No report from the Chair.

8.2.5 Human Trafficking Task Force Commission (*Meeting held February 17, 2023*)

Report from the Councilor Graskey.

8.2.6 Mayor's Commission on Communities of Color (*Meeting held February 20, 2023*)

No report from the Chair.

9. OLD BUSINESS

10. NEW BUSINESS

- 10.1 CITY CLERK RAMOS** recommends approval of miscellaneous licenses.
MOTION to approve, by Councilor Herrick, was seconded by Councilor Ludwig and carried.

- 10.2** CITY CLERK RAMOS recommends approval of a Temporary Class “B” Beer License for Douglas County Historical Society (President Valerie Burke, 1101 John Avenue, Superior, WI 54880), for The Butler Did It, which will be held from March 10-12, 2023.
MOTION to approve, by Councilor Herrick, was seconded by Councilor Elm and carried.
- 10.3** CITY CLERK RAMOS recommends approval of a Temporary Class “B” Beer and Wine License for Children's Dyslexia Center of Upper Wisconsin - Superior (President Laurel Humphrey, 3117 N 21st Street, Superior, WI 54880), for Steppin Up for Dyslexia, which will be held on April 14, 2023.
MOTION to approve, by Councilor Johnson, was seconded by Councilor Herrick and carried. Councilor Fennessey abstained.
- 10.4** CITY CLERK RAMOS recommending approval of an original Class “B” Beer license application for Ameer Investment, Inc., dba I Mart Stores, located at 406 Belknap St. (Agent: Sandra Pfankueh) for a period ending on June 30, 2023.
MOTION to approve, by Councilor Fennessey, was seconded by Councilor Graskey and carried.
- 10.5** CITY CLERK RAMOS recommending approval of an original Class “B” Beer license application for Ameer Investment, Inc., dba I Mart Stores, located at 311 Belknap St. (Agent: Sandra Pfankueh) for a period ending on June 30, 2023.
MOTION to approve, by Councilor Graskey, was seconded by Councilor Elm and carried.
- 10.6** PUBLIC WORKS DIRECTOR JANIGO is recommending approval of **O23-4301**, an ordinance introduced by the Common Council of the City of Superior amending City Code Chapter 112 - Traffic Code, Schedule J, Accessible Parking Zones, to add an accessible parking sign at 1809 Banks Avenue (one side).
MOTION to approve, by Councilor Elm, was seconded by Councilor Herrick and carried.
- 10.7** PARKS, RECREATION AND FORESTRY DIRECTOR CADOTTE is recommending awarding the 2023 Fireworks for Special Events Agreement to J&M Displays, Inc., in an amount NTE \$40,000.00, for the 4th of July Independence Day Celebration and for the 2024 Lake Superior Ice Festival.
MOTION to approve, by Councilor Graskey, was seconded by Councilor Fennessey and carried.
- 10.8** COMMUNITY DEVELOPMENT MANAGER ANDERSON recommending approval of **R23-13639**, a resolution introduced by the Community Development Division to set public hearings for the 2022 Consolidated Annual Performance and Evaluation Report (CAPER).

MOTION to approve, by Councilor Fennessey, was seconded by Councilor Herrick and carried.

10.9 COMMUNITY DEVELOPMENT MANAGER ANDERSON recommending approval of **R23-13640**, a resolution introduced by the Community Development Division to amend and approve the 2023 Action Plan budget; authorizing staff to submit plan to U.S. Department of Housing and Urban Development.

MOTION to approve, by Councilor Herrick, was seconded by Councilor Graskey and carried.

10.10 CITY ATTORNEY PRELL recommending council authority to “opt in” for participation in New National Opioid Settlement.

MOTION to approve, by Councilor Elm, was seconded by Councilor Ledin and carried.

10.11 PLANNING, ECONOMIC DEVELOPMENT AND PORT DIRECTOR SERCK recommending approval of **R23-13642**, a resolution to approving the Form of Notice to Lease Real Property for the Dock Project with C. Reiss Terminals, LLC.

MOTION to approve, by Councilor Elm, was seconded by Councilor Graskey and carried.

10.12 PLANNING, ECONOMIC DEVELOPMENT AND PORT DIRECTOR SERCK recommending awarding contract for planting and seeding at Moonshine Road Wetland Mitigation Bank to Northern Ecological Services in the amount of \$42,000.00.

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

11. BUSINESS BY PUBLIC

Meeting adjourned at 7:35 p.m.

Respectfully submitted,
Camila Ramos, City Clerk
Superior, Wisconsin

Approved this 21st day of March, 2023.

Attest:

Mayor

City Clerk