

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING  
SUPERIOR, WISCONSIN  
Tuesday, August 6, 2019**

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: Dan Olson, Jenny Van Sickle, Warren Bender, Jack Sweeney, Brent Fennessey, Tylor Elm, Ruth Ludwig, Craig Sutherland, Keith Kern, Esther Dalbec – 10

Youth Councilors: Jeffrey Newman

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

**3. PROCLAMATIONS AND COMMENDATIONS**

**4. APPROVAL OF MINUTES** July 16, 2019 - Regular Council meeting.

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

**5. PUBLIC HEARINGS**

**6. CONSENT AGENDA**

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

**Communications and Reports Received and Filed:**

**6.1** Superior Police Department 2018 Annual Report.

**6.2** CDBG Advisory Board minutes, July 16, 2019.

**6.3** Police and Fire Commission minutes, July 19, 2019.

**6.4** Urban Forestry Tree Board Proceedings, July 18, 2019.

**6.5** Public Service Commission of Wisconsin notices relating to Nemadji Trail Energy Center.

**Matters Referred:**

Liability Claims Committee

**6.6** Claim #19-20, Century Link

**7. STANDING COMMITTEE RECOMMENDATIONS FOR APPROVAL**

**7.1 Finance Committee, July 11, 2019**

- 2) To receive and file the 2018 Audited Financial Statements for the City of Superior.
- 3) To extend the Municipal Audit and Accounting Services Agreement with Wipfli, LLP for a 3 year period for the fiscal years ending December 31; 2019, 2020 and 2021.
- 4) To approve moving forward on a city-wide camera system with a blue print for drafting a policy, creating an expenditure list and analyzing areas to place cameras.
- 5) To approve removing the portion of the investment policy that lists specific authorized financial institutions currently utilized by the City of Superior.
- 6) To receive and file the update from Ehlers on potential refunding of existing bonds and bring back to the August Committee meeting.
- 7) To hold in committee the request for review on funding options for three adaptive Zagster bicycles until the August, 2019 meeting.
- 8) To receive and file the June, 2019 check register.
- 9) To receive and file the General Fund Financial Statements.

Tom Ledin spoke in opposition to item 4, city-wide camera system.

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

**7.2 Human Resources Committee, July 15, 2019**

- 3) a. To approve the revised Residency Policy #04.06.B for Police & Fire Non-Union employees to match with Police & Fire Union employees' residency requirement.  
b. To approve revised Ordinance Sec. 42-82 Residency.  
c. To approve the revised Non-Union Salary & Benefit Policy (Handbook): Section 14 – Holidays.
- 7) b. To approve the updated Hazardous Material Regional Response Compensation Agreement.
- 8) a. To receive and file the Monthly Personnel Reports for May and June, 2019.

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

**7.3 Plan Commission, July 17, 2019**

- 1) To refer back to Planning Department for ordinance language adjustments for Water Quality and Wetland Protection Standards and review again at the next Plan Commission meeting.
- 2) To approve the Small Business Grant Program with the amendments as identified in discussion.
- 3) To approve Jean & Jeff Vito's Request to Submit a Certified Survey Map for the property at 30 Bardon Avenue.
- 4) To approve Administrative request to submit Certified Survey Map for property in Winter Street Industrial Park.
- 5) To approve the Administrative request to submit Certified Survey Map for property on North 11th Street and Tower Avenue.

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

**7.4 Public Safety Committee, July 17,2019**

- 2) To approve making the posted speed limit 10 mph from Moccasin Mike Road to 31<sup>st</sup> Avenue East.

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

**7.5 Public Works Committee, July 17, 2019**

- 4) To receive and file the ESD Director's Report.  
5) To table the tree abatement assistance program draft.  
6) To approve the Agreement with Drift Dodgers Snowmobile Club regarding trail improvements on the segment of the Crosstown Trail at the US 2/53 Bridge at the Nemadji River.  
7) To approve updating Section 90-83 of the City Code to designate no parking on Wisconsin Point Road, parking permitted only in designated areas/lots.  
8) To approve exempting John Avenue between North 58th & 59th Streets from calendar parking on Sundays from 8 a.m. – noon and on Wednesdays from 4 – 8 p.m.

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

**8. BUSINESS BY DEPARTMENT HEADS**

City Clerk Kalan

- 8.1** Recommending approval of miscellaneous licenses.

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

- 8.2** Recommending approval for an Original Class "A" Beer & Class "A" Liquor (cider only) license for Applegreen Midwest, LLC, Trade Name: Freedom Valu #8, 311 Belknap Street, Agent: Kyle Pipkorn, for the remainder of the license period.

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

- 8.3** Recommending approval for an Original Class "A" Beer & Class "A" Liquor (cider only) license for Applegreen Midwest, LLC, Trade Name: Holiday #47, 406 Belknap Street, Agent: Kathie Ziebell, for the remainder of the license period.

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

- 8.4** Recommending approval of an application to amend the premise of a Class B Liquor & Beer license by Mencil Corporation, Trade Name: Landmark Lanes, 1914 Broadway, for a special event on August 10, 2019.

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

Planning Director Serck

- 8.5** Requesting approval to enter into an agreement with the Northwest Regional Planning Commission to provide technical assistance services in the administration of the City of Superior HOME (HOOPS program) / HCRI housing purchase revolving loan fund.  
**MOTION by Councilor Dalbec, seconded by Bender and carried, to approve.**
- 8.6** Requesting approval of the Small Business Grant Program description and application.  
**MOTION by Councilor Elm, seconded by Kern and carried, to approve.**

Public Works Director Janigo

- 8.7** Recommending approval to waive the bidding requirements for the purchase of 2019 John Deere 772G Motor Grader from McCoy Construction Forestry via the Sourcewell Agreement.  
**MOTION by Councilor Dalbec, seconded by Van Sickle and carried, to approve.**

**9. BUSINESS BY THE MAYOR**

- 9.1** To appoint Deb Emery to the Redevelopment Authority of City of Superior for a term expiring May, 2023; and to appoint Steve Knauss to the Tourist Development Foundation Committee for a term expiring August, 2021.  
**MOTION by Councilor Elm, seconded by Sutherland and carried, to approve.**
- 9.2** Recommending approval to enter into negotiations to sponsor the Catalyst ITV Festival in an amount not to exceed \$15,000, from the Hotel/Motel Tax Fund.  
Philip Gilpin, Jr., Executive Director of Catalyst, gave an introduction of Catalyst and the history of the ITV Festival. He discussed the sponsorship and how it could impact the City of Superior.  
**MOTION by Councilor Olson, seconded by Sutherland and carried, to approve.**  
**Roll call vote taken and passed.**  
**AYE – 9 Sutherland, Kern, Dalbec, Olson, Van Sickle, Bender, Fennessey, Elm, Ludwig**  
**NO – 1 Sweeney**

**10. BUSINESS BY COUNCILORS**

**11. RESOLUTIONS**

- 11.1 R19-13445** Resolution introduced by Councilor Elm declaring fiber-optic networking as essential infrastructure in the City of Superior, Wisconsin.  
Councilor Fennessey discussed his support for the resolution, but also his concern with approving a resolution with no plan. Discussion ensued on the history of definition of resolutions and the support they have provided in the past.

**MOTION by Councilor Fennessey, seconded by Kern, to refer to the Communication Information Technology Committee.**

**Roll call vote taken and failed.**

**AYE – 4 Kern, Dalbec, Sweeney, Fennessey**

**NO – 6 Olson, Van Sickle, Bender, Elm, Ludwig, Sutherland**

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

**11.2 R19- 13446** Resolution designating certain banks and investment firms as depositories for the City and updating authorized signatures.

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

**11.3 R19- 13447** Resolution from Environmental Services Division declaring official intent to reimburse expenditures from proceeds of borrowing relating to the improvements at the Combined Sewage Treatment Plant 5.

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

**11.4 R19- 13448** Resolution from Environmental Services Division authorizing the Director of Public Works as the authorized representative to file applications for financial assistance from State of Wisconsin Environmental Improvement Fund.

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

## **12. ORDINANCES**

**12.1 O19-4159** Ordinance introduced by the Human Resources Committee amending Chapter 43-82, Residency.

**MOTION by Councilor Fennessey, seconded by Ludwig and carried, to adopt the ordinance.**

**12.2 O19-4160** Ordinance introduced by the Public Works Committee amending Chapter 90-83, Wisconsin Point, Access and Parking.

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

**12.3 O19-4161** An Ordinance introduced by the Public Works Department of the City Of Superior amending City Code Chapter 112 - Traffic Code, Schedule J, Disabled Parking Zones, by removing 1216 Hughitt Avenue.

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

**12.4 O19-4162** An Ordinance introduced by the Public Works Committee amending the City Code, Chapter 112, Traffic Code, Article VII, Schedule I, Streets Excluded From Calendar Parking by adding John Avenue – between North 58th and North 59th Streets from 8 a.m. to noon on Sundays and from 4 p.m. – 8 p.m. on Wednesdays.  
**MOTION by Councilor Olson, seconded by Sutherland and carried, to adopt the ordinance.**

**13. BUSINESS BY PUBLIC**

**Meeting adjourned at 7:26 p.m.**

Respectfully submitted,  
Terri Kalan, City Clerk  
Superior, Wisconsin

Approved this 20<sup>th</sup> day of August, 2019.

Attest:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk