

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING  
SUPERIOR, WISCONSIN  
Tuesday, January 7, 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: Dan Olson, Jenny Van Sickle, Warren Bender, Jack Sweeney, Brent Fennessey, Tylor Elm, Ruth Ludwig, Craig Sutherland, Keith Kern, Esther Dalbec – 10

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

**3. PROCLAMATIONS AND COMMENDATIONS**

**4. APPROVAL OF MINUTES** December 17, 2019 - Regular Council meeting.

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

**5. PUBLIC HEARINGS**

**6. CONSENT AGENDA**

**MOTION by Councilor Fennessey, seconded by Elm and carried, to approve the Consent Agenda.**

**Matters Referred:**

Liability Claims Committee

**6.1** Claim #19-27 and 19-28, Sodloski

**6.2** Claim #19-29, Garcia

**6.3** Claim #19-30, Aakeberg

**6.4** Claim #19-31, Garin

**7. STANDING COMMITTEE RECOMMENDATIONS FOR APPROVAL**

**7.1 Human Resources Committee, December 16, 2019**

3) a. To approve the revised Salary & Benefit Policy/Handbook, Section 15: Paid Time off, Sick Leave – Appendix C.

b. To approve the revised Substance Abuse/Drug-Free Workplace Policy #04.06A.

c. To approve the revised Drug & Alcohol Testing Policy #04.07.

6) To receive and file the Monthly Personnel Report for November.

**MOTION by Councilor Sutherland, seconded by Sweeney and carried, to separate items 3) b. and 3) c., and refer back to the Human Resources Committee, and approve the remainder of item 7.1.**

**7.2 Plan Commission, December 18, 2019**

1) To approve the amendments made to the Small Business Grant Program.

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

Planning Director Serck

**8.2** Recommending approval of the amendments to the Small Business Grant Program description.

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

Public Works Director Janigo

**8.3** Recommending approval of the renewal for Professional Engineering Services Agreement with TKDA for as-needed or emergency services

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

Public Works Director Janigo and Environmental Regulatory Manager McNamara

**8.4** Recommending approval of the Landfill Consultant contract with SEH 2020 for an amount not-to-exceed \$55,000.

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

Finance Director Puetz

**8.5** Recommending approval of the 2020 Economic Development Fund Budget.

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

**9. BUSINESS BY THE MAYOR**

**10. BUSINESS BY COUNCILORS**

**11. RESOLUTIONS**

**11.1 R20-13472** Resolution introduced by the Community Development Division to set a public hearing on March 3, 2020, at 6:30 p.m. in Room 201 of the Government Center for the Updated Analysis of Impediments to Fair Housing Choice.

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

**11.2 R20-13473** Resolution introduced by the Community Development Division to set a public hearing on March 3, 2020, at 6:30 p.m. in Room 201 of the Government Center to request comments on Community Development Needs and Fair Housing Choice.  
**MOTION by Councilor Bender, seconded by Fennessey and carried, to adopt the resolution.**

**11.3 R20-13474** Resolution introduced by Councilor Olson providing for an Advisory Referendum on the question establishing the position of City Administrator.  
**MOTION by Councilor Olson, seconded by Sweeney, to amend resolution to reflect an election date of November 3, 2020. Roll call vote taken and passed.**  
**AYE – Olson, Sweeney, Fennessey, Elm, Ludwig, Sutherland, Kern, Dalbec.**  
**NO – Van Sickle, Bender.**

Amanda Foster, Deonne Nelson, Mary Smite-Johnson, Judith Hack, Dee Fetters, Stephan Witherspoon, Dan Pearson, Megan McGarvey, Joe Stensland, Jim Dalton, Garner Moffat, Zeb Stevens, Christine Olson, Deb Semborski, Chris Googleman, Amy Peterson, Bee Peters, spoke in opposition to the resolution.

Rick Cannata spoke in favor of resolution.

Councilor Olson presented a timeline, which he believes led to the resolution being presented. He also discussed the timeline and process which the city followed that led to hiring the RW Management Group and the study they presented. He discussed changes within the study that have already been addressed as well as other recommendations that have yet to be addressed.

**MOTION by Councilor Olson, seconded by Sutherland, to extend time limit. Roll call vote taken and failed.**

**AYE – Olson, Sweeney, Fennessey, Elm, Sutherland, Kern.**  
**NO – Van Sickle, Bender, Ludwig, Dalbec.**

Councilor Olson concluded by explaining that he would like to see the resolution passed so the citizens have the opportunity to voice their opinion on the changes within their local government.

Councilor Van Sickle stated the community is not confused or uneducated about this topic and have reached out encouraging a “no” vote and the council should respect the voices of Superior residents.

Councilor Ludwig discussed the decisions made at the Committee of the Whole meeting in November, after RW Management Group presented their findings, and it was noted in the minutes that each recommendation would be forwarded to the appropriate committee for review and prioritizing, which would then be presented to the council in January for further discussion and vetting. Councilor Ludwig is asking that the resolution be tabled, as there has not been enough research and vetting done.

**MOTION by Councilor Ludwig, seconded by Van Sickle, to table resolution indefinitely. Roll call vote taken and failed.**

**AYE – Van Sickle, Bender, Ludwig, Dalbec.**

**NO – Olson, Sweeney, Fennessey, Elm, Sutherland, Kern.**

Councilor Bender stated that all of his constituents that contacted him asked him to vote no and he will not be supporting this resolution.

Councilor Fennessey noted that the debate tonight is premature. The council is not voting on the style of government, but rather whether they should allow the residents the opportunity to weigh in on the issue.

Councilor Sweeney stated that by moving the referendum to November 2020, the community will have time to vet through the issue and come to a good decision.

**MOTION by Councilor Olson, seconded by Sweeney and carried, to adopt the resolution as amended. Roll call vote taken and passed.**

**AYE – Olson, Sweeney, Fennessey, Elm, Sutherland, Kern.**

**NO – Van Sickle, Bender, Ludwig, Dalbec.**

## **12. ORDINANCES**

**12.1 O20-4177** 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, removing 1508 Broadway Street.

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

**12.2 O20-4178** An ordinance introduced by Mayor Paine repealing Sections 2, Article XII Public Works Projects and Recreating Section 2, Article XII Responsible Contractor Criteria.

Kyle Bukovich, President of Northern Wisconsin Building and Construction Trades Council, thanked those that helped revise this ordinance and asked the council support it.

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

**13. BUSINESS BY PUBLIC**

**Meeting adjourned at 7:47 p.m.**

Respectfully submitted,  
Terri Kalan, City Clerk  
Superior, Wisconsin

Approved this 21<sup>st</sup> day of January, 2020.

Attest:

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Mayor

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City Clerk