

**AGENDA FOR REGULAR COMMON COUNCIL MEETING  
SUPERIOR, WISCONSIN  
Tuesday October 6, 2009  
6:30 p.m. - Government Center, Board Room 201**

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

**3. PROCLAMATIONS AND COMMENDATIONS**

**4. APPROVAL OF MINUTES**

- 4.1 September 15, 2009 Regular Council meeting
- 4.2 September 30, 2009 Special Council meeting

**5. PUBLIC HEARINGS**

- 5.1 **R09-12903** Resolution amending the 2006 and 2009 Community Development Block Grant (CDBG) Action Plans to reallocate funds.
- 5.2 **R09-12904** Resolution introduced by the Public Works Department authorizing the following alleys to be blacktopped in 2010:
  - 1) Hammond & Cummings Avenues, and N. 54<sup>th</sup> and 55<sup>th</sup> Streets
  - 2) Oakes and Banks Avenues, and N. 22<sup>nd</sup> and 23<sup>rd</sup> Streets

**6. CONSENT AGENDA** *The following items may be received and filed (r&f), referred, or approved as noted, by the Council utilizing a single vote. All licenses approved are contingent upon meeting City Code requirements. There will be no separate action on these items unless a Council member requests, and the Council approves. Communications are on file in the City Clerk's office, and may be viewed in their entirety during regular office hours.*

- 6.1 United States Department of the Army expressing gratitude for the City's outstanding work on the SAMP II administration. *r&f*
- 6.2 Department of Natural Resources communication regarding the City's application to establish a Bulkhead line. *r&f*
- 6.3 Department of Revenue Revised Estimate of 2009; and Estimated 2010 Shared Revenue and Expenditure Restraint Payments. *r&f*
- 6.4 Public Service Commission regarding area code relief for 715 and 920 area codes. *r&f*
- 6.5 Douglas County Historical Society August 17, 2009 meeting minutes. *r&f*
- 6.6 Duluth Transit Authority June 24, 2009, meeting minutes. *r&f*
- 6.7 Liability Claims Committee August 20, 2009 meeting minutes. *r&f*
- 6.8 Mayor's Commission on Disabilities May 18, 2009 meeting minutes. *r&f*
- 6.9 Police & Fire Commission August 12, 2009 meeting minutes. *r&f*
- 6.10 Redevelopment Authority of the City of Superior, September 21, 2009 meeting minutes. *r&f*
- 6.11 Claim # 09-28, Jennifer Nyholm. *Refer to Liability Claims Committee*

- 6.12 Councilor Bender requesting an exemption from calendar parking, April – October 31 for the half block of Ogden between the T alley and N. 29<sup>th</sup> Street. *Refer to Public Works Cmt*
- 6.13 Councilors Bridge and Mertzig requesting closure of railroad crossings on 25<sup>th</sup> Avenue East and East 4<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup> Streets. *Refer to Public Works Cmt*
- 6.14 Councilor's MacKenzie and Herrick requesting the school crossing at N. 21<sup>st</sup> Street and Missouri Avenue be painted and a Pedestrian Stanchion placed there. *Refer to Public Works Cmt*
- 6.15 Councilor's MacKenzie and Olson requesting to raise the speed limit on Albany Avenue between N. 33<sup>rd</sup> and 52<sup>nd</sup> Streets from 25 mph to 35 mph. *Refer to Public Works Cmt*
- 6.16 Councilor Olson requesting sidewalk safety signage on N. 58<sup>th</sup> Street. *Refer to Public Works Cmt*
- 6.17 Councilor Dalbec requesting Yield signage on N. 11<sup>th</sup> Street at Cumming Ave. *Refer to Public Works Cmt*
- 6.18 **Committee of the Whole, September 15, 2009** *recommendations for approval*
- 1) No action on Metropolitan Interstate Council's presentation of the Long Range Transportation Plan.
  - 2) No action on the Operation Lifesaver presentation by George Warren.
- 6.19 **Finance Committee, September 10, 2009** *recommendations for approval*
- 2) Receive and file Budget information from Fire Chief Rigstad
  - 3) Review Sewage Credit Policy at the October Finance Committee meeting.
  - 4) Receive and file information from Internal Auditor Bronson.
  - 5) Receive and file Animal Shelter information.
- 6.20 **License & Fees Committee, September 14, 2009** *recommendations for approval*
- 1) Approve ordinances for the Outdoor Alcohol Consumption and Sidewalk Café licenses.
- 6.21 **Plan Commission, September 16, 2009** *recommendations for approval*
- 1) Approve Gavilon Grain's request to submit a Certified Survey Map (CSM 09-03).
  - 2) Approve New Perspectives request to submit a Certified Survey Map (CSM 09-04).
  - 3) Receive and file Arnold Prochazka's request to vacate alley between 24<sup>th</sup> and 25<sup>th</sup> Avenues East and East 8<sup>th</sup> and 9<sup>th</sup> Streets (VAC 09-05).
  - 4) Approve Bill Anderson's request on behalf of Cornerstone Surveying, to submit a Certified Survey Map (CSM 09-05).
- 6.22 **Public Works Committee, September 16, 2009** *recommendations for approval*
- 1) Hold in Committee the Traffic Calming Policy.
  - 2) Hold in Committee Councilor Hendry's request for Slow – Children Playing sign.
  - 3) Receive and File Councilor Dalbec's request for right turn only arrow on south side of Broadway Street at Hammond Avenue.
  - 4) Hold in Committee petition from residents at 320 24<sup>th</sup> Ave. East regarding train horns.
- 6.23 Approve Miscellaneous licenses. *City Clerk Kalan*

- 6.24 Approve 6 month Class B Liquor & Beer license for Superior Curling Club, Linda Noble Agent, at 4700 Tower Avenue, beginning October 15, 2009 through April 15, 2010.  
*City Clerk Kalan*
- 6.25 Approve Original Class B Liquor & Beer license application by Cameo Investment II LLC, trade name Centerfold's Cabaret, Agent Kaja Christopherson, 702 Tower Avenue for the license period October 7, 2009 through June 30, 2010. (Due to change in Corporation)  
*City Clerk Kalan*
- 6.26 Approve Original Class B Liquor & Beer license application by On The Corner, Inc., trade name: Off the Wagon, Agent Penny Gellatly, 318 Tower Avenue, for the license period October 15, 2009 through June 30, 2010. *(Previously Adam's Pub) City Clerk Kalan*

**7. BUSINESS BY DEPARTMENT HEADS**

- 7.1 2010-2011 Fire Department Budget. *Finance Dir Vito*
- 7.2 2010-2011 Information Services; Library; and Liability Insurance Budgets. *Finance Dir Vito*
- 7.3 Approve the purchase of two 2010 Chevrolet Impala Unmarked Police Sedans for \$19,194 per vehicle. *Assistant PW Dir Goetzman*
- 7.4 City Forester Morgan and members of the Superior Tree Board will be presenting the draft Superior Urban Forestry Plan (2009).
- 7.5 Award the bid to purchase City owned property, formerly known as 3717 E. 1<sup>st</sup> Street, to Joseph and Diane Nelson; and Margaret Johnson in the amount of \$1,000. *Planner Serck*

**8. BUSINESS BY THE MAYOR**

**9. BUSINESS BY COUNCILORS**

**10. RESOLUTIONS**

- 10.1 **R09-12905** Resolution introduced by Council President Olson showing support for City Employee Military Personnel.
- 10.2 **R09-12906** Resolution approving the Report of the Redevelopment Authority of the City of Superior regarding the Consent by the Authority of an Assignment and Assumption Agreement Between D&S Development, Inc. and East Second Exchange, LLC.
- 10.3 **R09-12907** Resolution introduced by the Common Council concerning the Wisconsin Department of Natural Resources Compliance Maintenance Annual Report (CMAR) for 2008.
- 10.4 **R09-12908** Resolution of the Common Council Authorizing Execution of a Development Agreement with Ami Real Estate, LLC. *(To be distributed under separate cover)*

**11. ORDINANCES**

- 11.1 O09-3705** Ordinance introduced by the License & Fees Committee amending City Code Chp 14, Alcohol Beverages, by creating an Outdoor Alcohol Consumption license.
- 11.2 O09-3706** Ordinance introduced by the License & Fees Committee amending City Code Chp 74, Licenses, Permits, and Business Regulations, by creating a Sidewalk Café license.
- 11.3 O09-3707** Ordinance amending City Code Chapter 112, Traffic Code, Article III Sch K, Disabled – Do Not Block Sidewalk, by adding 2306 Ogden Avenue (D. Johnson).
- 11.4 O09-3708** Ordinance amending City Code Chapter 112, Traffic Code, Article III Sch J, Disabled Parking Zones, by adding 1728 Ogden Avenue (S. Brown).

**12. BUSINESS BY PUBLIC**

If you would like to speak before the Council, please sign your name on the sign-up sheet prior to the Council meeting. Due to requirements of the Wisconsin Open Meetings laws, only matters placed on this agenda may be approved by the Council at this meeting, however, citizens may address the Council regarding items which require no action. No personal attacks on individuals will be allowed, and all comments by members of the public shall be limited to three (3) minutes in length.

Citizens should contact the Mayor, a Councilor, or the City Clerk to have a matter placed on a future Council agenda for consideration.

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*Pursuant to the Americans with Disabilities Act of 1990, if you are in need of an accommodation to participate in the public meeting process, please contact the City Clerk's Office at (715) 395-7200 prior to the scheduled meeting. The City will attempt to accommodate any request depending on the amount of notice received. TDD (715) 395-7521.*

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**In compliance with Wisconsin Open Meetings Law, this agenda was:**

Posted: Government Center, Court House, & Public Library,  
Daily Telegram, Media & mailing list notified: October 1, 2009  
Daily Telegram to sign and fax verification of receipt to 395-7264

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Name date