

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday, December 4, 2018**

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

Excused:

Youth Councilors: Adam Lavine, Jeffrey Newman

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

3. PROCLAMATIONS AND COMMENDATIONS

4. APPROVAL OF MINUTES November 20, 2018 - Regular Council meeting.

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

5. PUBLIC HEARINGS

6. CONSENT AGENDA

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

Communications and Reports Received and Filed:

6.1 Mayor's Commission on Communities of Color Minutes, September 10, 2018.

6.2 Mayor's Commission on Disabilities Minutes, October 15, 2018.

6.3 Wisconsin Point Committee minutes, November 13, 2018.

6.4 Police and Fire Commission minutes, November 14, 2018.

Matters Referred:

Liability Claims Committee

6.5 Claim #18-30, Shane Loiland

6.6 Claim #18-31, Donovan and Nancy Bode

7. STANDING COMMITTEE RECOMMENDATIONS FOR APPROVAL

7.1 Committee of the Whole, November 20, 2018

- 1) To fund three entry level fire fighters positions no sooner than April 1, 2019, to increase fire department overtime in 2019 from \$158,000 to \$180,000 and to fund this by using \$67,000 of the general fund contingency with the balance covered by changing the oil pipeline terminal tax funding within the General Fund from \$1,314,399 to \$1,444,621.
- 2) To table 2019 Capital Improvement Program (revised), 2020 Capital Improvement Program (proposed) and 2021-2024 Capital Improvement Program until the December 4, 2018 Regular Council Meeting.

MOTION by Councilor Dalbec, seconded by Sutherland and carried, to approve.

7.2 Human Resources Committee, November 19, 2018

- 2) To approve a 2% wage increase to the mid-point for Non-Union wage plans effective 1/1/2019.
- 6) a. and b. To approve item 6A) Salary & Benefits Policy (Handbook), Section 5. Salary Schedule and Payment – A) (remove Yearly Rate language for ESD Operations that no longer applies), and item 6B) ESD Operations Procedure for Filling Operator & Maintenance Technician Positions.
 - c. To approve the revised Salary & Benefits Policy (Handbook), Section 21. Reimbursements and Allowances – E) (update/correct ESD Operator Certification levels and amounts)
 - d. To approve the ESD Operations Incentive Allowance Procedure.
 - e. To approve the Salary & Benefits Policy (Handbook), Section 15. Paid Time Off – C) (for clarification, list the number of vacation days in addition to listed weeks of vacation.)
- 8) To receive and file the Monthly Personnel Report for October 2018.

MOTION by Councilor Ludwig, seconded by Bender and carried, to approve.

7.3 Public Safety Committee, November 15, 2018

- 1) To approve the ATV route on 42nd Street to Billings Drive year round; and Billings Drive to Badger Drive to Badger Fishman's parking lot for winter months only.

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

7.4 Public Works Committee, November 15, 2018

- 2) To approve designating no parking on either side of Bardon Avenue between North 21st and North 28th Streets.
- 3) To approve the Sewer use ordinance revisions.
- 4) To receive and file the ESD Director's Report.
- 5) To approve the renewal of the Joint Powers Agreement with WLSSD for Household Hazardous Waste for 2019 at the continued rate of \$45 per drop off, with the caveat that a reminder about the service be included with the next utility bill mailing.
- 6) To approve the renewal of the Landfill Consultant contract with SEH for 2019, not to exceed \$40,000.

- 7) To approve awarding the annual landfill tire recycling contract Tire Aggregate LLC, for a fee of \$200 per ton.
- 8) To approve the amendment to the cleaning services agreement with Jack Rabbit Cleaning LLC for the Municipal Services Building, to extend the agreement through December 31, 2019 at their current rate of \$375.00 per week, with additional scope items as outlined in agreement.
- 9) To approve the renewal of engineering services agreements for as needed or emergency services with the following firms: Weyandt LLC, SEH and TKDA.
- 10) To approve adding the following routes: 1) Year Round 42nd Street from Albany Avenue to Billings Drive and 2) Winter Only Billings Drive to Badger Drive, to Badger Drive Fishermen's Parking lot.
- 11) To receive and file the Public Works Director's Report.

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 Elm and carried, to approve.

- 8.2** Recommending approval of an original application for a Class A Beer license by Minit Mart, LLC, Trade Name: Minit Mart, 2104 Tower Avenue, Agent: Jeremy Wolkovitz, for the remainder of the license period, expiring June 30, 2019.

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

Public Works Director Janigo

- 8.3** Recommending approval of Amendment I with Jack Rabbit Cleaning, LLC, through December 31, 2019, for the MSB Cleaning Services Agreement.

MOTION by Councilor Dalbec, seconded by Elm and carried, to approve.

- 8.4** Recommending approval of the Landfill Consultant contract with SEH in 2019 for an amount not-to-exceed \$40,000.

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

- 8.5** Recommending approval to renew the Professional Engineering Services Agreement with SEH for as-needed or emergency services.

MOTION by Councilor Bender, seconded by Ludwig and carried, to approve.

- 8.6** Recommending approval to renew the Professional Engineering Services Agreement with TDKA to request assistance from TKDA for as-needed or emergency services.

MOTION by Councilor Dalbec, seconded by Ludwig and carried, to approve.

8.7 Recommending approval to renew the Professional Engineering Services Agreement with Weyandt, LLC, for as-needed or emergency services.
MOTION by Councilor Fennessey, seconded by Ludwig and carried, to approve.

8.8 Recommending approval to renew the Joint Powers Agreement with WLSA for services related to disposal of household hazardous waste.
MOTION by Councilor Dalbec, seconded by Ludwig and carried, to approve.

Assistant Finance Director Bronson

8.9 Recommending approval of 2019 Library Budget.
MOTION by Councilor Bender, seconded by Elm and carried, to approve.

9. BUSINESS BY THE MAYOR

9.1 Discussion of 2019 Capital Improvement Program (revised), 2020 Capital Improvement Program (proposed) and 2021-2024 Capital Improvement Program (tentative). (*Referred from the November 20, 2018 Committee of the Whole meeting.*)

Mayor Paine noted that the Parks, Recreation and Forestry Discretionary Projects have not been prioritized or vetted, so he is requesting that the list of projects be removed, but money remain. He would like to strike the projects listed, aside from the Webster Park All Abilities Park, and move the Webster Park All Abilities Park to the Essential section of the CIP under Parks, Recreation and Forestry improvements.

Councilor Fennessey questioned the Trails and Archery Range projects and noted he would rather them remain within the Discretionary section, along with the \$250,000 in 2019 and \$200,000 in 2020.

MOTION by Councilor Fennessey, seconded by Sutherland and approved, to recess which would allow time for an updated copy of CIP handout be revised and distributed.

Recess at 6:51 p.m. Council reconvened at 7:05 p.m.

Assistant Finance Director Bronson distributed updated handout of CIP.

MOTION by Councilor Fennessey, seconded by Elm and approved, to amend CIP by decreasing park improvement funding in 2019 by \$250,000 and increase archery range funding in 2019 by \$250,000; also decrease park improvement funding in 2020 by \$200,000 and increase archery range funding in 2020 by \$200,000.

Councilor Ludwig discussed concerns with funding any Parks, Recreation & Forestry projects within the CIP as the Parks, Recreation and Forestry Department is

still in the process of completing the Outdoor Comprehensive Recreation Plan. She discussed survey results from the citizens on the Outdoor Comprehensive Recreation Plan. Her concern is that projects within the CIP do not reflect the wishes of the citizens.

MOTION by Councilor Kern, seconded by Sutherland and approved, to strike the following project names for funding in 2019 and 2020: Archery Range – Municipal Forest, 18 Hole Disc Golf, Park ADA Surface, Hammond Park Pavilion & Restrooms, Sheltered and Covered Play Area, Allouze Park, and Central Park Tennis Courts & Basketball Court.

MOTION by Councilor Fennessey, seconded by Elm and carried, to approve the balance of the Capital Improvement Program as amended.

10. BUSINESS BY COUNCILORS

11. RESOLUTIONS

12. ORDINANCES

12.1 O18-4111 Ordinance introduced by the Public Works Committee amending the City Code, Chapter 112, Traffic Code, Article III, Parking, by adding No Parking on Even Side of Street, Bardon Avenue between North 21st and North 28th Street.

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

12.2 O18-4112 Ordinance introduced by the Public Works Committee amending the City Code, Chapter 112, Traffic Code, Article III, Parking, by adding No Parking on Odd Side of Street, Bardon Avenue between North 21st and North 28th Street.

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

12.3 O18-4113 Ordinance introduced by Environmental Services Administrator Roberts repealing and replacing the current City Code, Chapter 114, Utilities, Article II, Sewer Usage.

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

12.4 O18-4114 Ordinance introduced by the Public Works Committee, The Public Safety Committee & Parks & Recreation Commission amending Chapter 90 – Parks, Recreation and Forestry, Article VII – Motorized Recreational Vehicles by adding 42nd Street to Billings Drive year round; and Billings Drive to Badger Drive to Badger

Fishman's parking lot for winter months only; and restoring Marina Drive as a winter route (Marina Drive has been winter route and was inadvertently omitted in the last ordinance revision).

MOTION by Councilor Sutherland, seconded by Bender and carried, to adopt the ordinance.

13. BUSINESS BY PUBLIC

Meeting adjourned at 7:23 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 18th day of December, 2018.

Attest:

Mayor

City Clerk