

**PROCEEDINGS OF THE REGULAR COUNCIL MEETING
SUPERIOR, WISCONSIN
TUESDAY, MAY 2, 2006**

The Regular Meeting of the Common Council was called to order by Mayor Ross at 6:30 p.m. in the Government Center, Board Room 201.

Council Members Present: Tom Quick, Tom Bridge, Kevin Norbie, Jackie Stenberg, Ed Anderson, Chuck Hendry, Bob Finsland, Nick Milroy, Dennis Dalbec, Esther Dalbec - 10

Youth Council Present: Aaron Moncel, Ryan Hoye, Nick Feller

Also Present: Mayor Ross, City Clerk Ciccone

Excused: City Attorney Prell

There being a quorum present, meeting was in order, and the Pledge of Allegiance was recited.

CITIZEN OF THE MONTH

Mayor Ross presented Axel Johnson a plaque proclaiming him Citizen of the Month for May 2006 for his diligent volunteer work, efforts, enthusiasm, ambition and contributions to make this community a great place to live.

APPROVAL OF MINUTES

MOTION by Councilor Norbie, seconded by D Dalbec and carried, to approve the minutes of the April 18, 2006 Regular Council Meeting.

1ST ORDER

PUBLIC HEARINGS

1. 2005 Consolidated Annual Performance Evaluation Report (CAPER) 2005 Program year.
No one spoke in favor of or opposition to the proposed report.
2. 2006 CDBG Action Plan.
- 2.1 Sherry MacGregor submitting information regarding the Coalition for Advancement of Fair Housing and Basic Facts about the Fair Housing Act.
Speaking to the issue: Sherry MacGregor, Coalition for Advancement of Fair Housing; and Rev. Barb Certa-Werner, Harbor House Crisis Shelter.
3. Draft Consolidated Strategy & Plan for Housing Community Development, 2006-2010 Program Years.
No one spoke in favor of or opposition to the proposed Plan.

2ND ORDER

CONSENT AGENDA

City Clerk Ciccone advised of additions to the Consent agenda – items 6.1, 15.1, 17.1, and 17.2.

MOTION by Councilor D Dalbec, seconded by Norbie and carried, to approve the Consent Agenda as amended.

COMMUNICATIONS AND REPORTS RECEIVED AND FILED:

State of Wisconsin

Department of Revenue advising of:

4. 2005 exempt computer state aid of \$37,335.
5. 2005 exempt business computers located in a Tax Incremental District of \$5,055.

City of Superior

6. Police Chief Peters submitting Superior Police Department 2005 Annual Report.
- 6.1 City Clerk Ciccone submitting communication from Michele Perron, Mama Get's Inc. voluntarily surrendering the Class B Liquor & Beer licensed issued to 525 Tower Avenue, as of June 1, 2006.

City of Superior Minutes/Reports

7. Deer Committee, April 24, 2006.
8. Human Resources Committee, March 30, 2006.
9. Liability Claims Committee, March 16, 2006.
10. Urban Forestry Tree Board, April 20, 2006.

Miscellaneous Communications and Reports

11. Duluth Transit Authority, March 1, 2006 minutes.
12. Housing Authority of the City of Superior, March 29 and April 19, 2006 minutes.

MATTERS REFERRED TO:

Liability Claims Committee and CVMIC

13. #15-06 Arletta LePage

Committee of the Whole Meeting, May 16, 2006

14. City Clerk Ciccone submitting Preliminary alcohol report for 2006-07 license period.
15. Planning Director Serck submitting request from Jonathan and Michelle Asp to purchase City-owned property abutting 2216 Lamborn Avenue.

Special Committee of the Whole Meeting, June 6, 2006

- 15.1 City Attorney Prell requesting referral of the Chronic Nuisance Premises ordinance.

Finance Committee

16. Finance Director Vito requesting review of Payroll Checking Account – Banking Options.

License & Fees Committee

17. Councilor D Dalbec requesting to establish a one-time event Cabaret license.
- 17.1 Councilor Finsland requesting review of Peddlers and Solicitors exemptions, Section 94-3 of the City Code, requesting to exempt ice cream vendors.

Public Works Committee

- 17.2 Councilor Bridge requesting Public Works Committee investigate, along with the Town of Parkland, the possibility of installing a guard rail or no parking signs on City Limits Road, west of County Road E, at Bear Creek.

6th Order – Resolutions

18. Public Works Director Vito submitting resolution dedicating Halvor Lane as a new City Street.

STANDING COMMITTEE REPORTS APPROVED:

19. Committee of the Whole, April 18, 2006

1. To refer presentation by Friends of the Carnegie Library, and consideration by the Common Council of pending raze order, to the May 16, 2006 Committee of the Whole meeting with power-to-act.

20. Finance Committee, April 13, 2006

1. a. To approve the sewage credit request by Lakeside Terrace Mobile Home Park with payment made payable to Lakeside Terrace and Superior Water, Light, and Power.
b. To approve the sewage credit request by Champion Lounge.
2. To hold the SMECU lease review in committee.
3. To hold the purchase of voting equipment in committee.
4. To hold the hotel/motel tax increase use/purpose in committee.
5. To hold the review of non-profits assessed payments in lieu of taxes in committee.
6. To hold the Barker's Island Marina Phase Two in committee.
7. To receive and file the payments for publication for March 2006.
8. To receive and file the March 2006 financial statements.

21. Human Resources Committee, April 17, 2006

2. A) To approve filling a Limited-Term Firefighter.
4. To approve the Local #27 Side Letter Agreement: Sick leave hours in excess of 140 days will be deposited into the ICMA VantageCare Plan.
5. To approve the recommended Library staff re-allocations (effective May 27th):
A) Eliminate 1 Librarian II position
B) Reclassify 5 Library Clerks to Librarian I's
C) Post 38 hours of Librarian I

6. A) To approve the revised Residency Policy #04.06.B (update Union #244 language per 2006 Union contract; and change residency for non-benefitted and temporary Non-union employees)
7. To approve the reclassification of Assistant Recreation Program Coordinator to Parks & Recreation Program Coordinator; and to approve the updated job description.
8. To receive and file the Monthly Personnel Report for March 2006.

22. Public Safety Committee, April 12, 2006

1. To deny the changing of Banks Avenue from North 21st to North 28th Street from one-way to two-way traffic and to direct Public Works to erect the appropriate official traffic signs at the base of North 21st Street Viaduct to include one indicating no left turn on Banks Avenue.

23. Public Works Committee, April 19, 2006

To coincide with the Public Safety Committee, North 21st – North 28th Streets should be left one-way for south-bound traffic on Banks Avenue.

3RD ORDER

BUSINESS BY DEPARTMENT HEADS

City Clerk Ciccone submitting:

24. Miscellaneous licenses.
MOTION by Councilor Norbie, seconded by D Dalbec and carried, to approve.
 25. Certification of the Board of Canvassers from the April 4, 2006 Spring Election.
MOTION by Councilor Finsland, seconded by Anderson and carried, to approve.
 26. Submitting denial of Disabled Parking signage at 1105 N. 17th Street, as request does not meet the established criteria.
MOTION by Councilor D Dalbec, seconded by Norbie and carried, to approve the denial.
 27. Channel Sharing Agreement between the City of Superior, Wisconsin and the City of Duluth, Minnesota.
MOTION by Councilor Stenberg, seconded by Anderson and carried, to approve the agreement.
 28. Parks and Recreation Administrator Morgan advising the City of Superior will be using the second lowest bidder, Christman Septic Pumping, for portable toilet service contract (originally awarded on April 4, 2006 to Portable John of Hibbing, MN).
MOTION by Councilor Norbie, seconded by Dalbec and carried, to approve.
- Public Works Director Vito
29. Recommending East 2nd Street Joint Restoration be awarded to Midwest Concrete Specialties, Inc. for low bid of \$266,370.20

MOTION by Councilor Anderson, seconded by D Dalbec and carried, to approve the recommendation.

30. Requesting Council award bid to one of the qualified bidders for frame motor grader:

Nortrax Equipment, JD 772D, \$209,500 (includes trade in)

Fabco Equipment, Cat 143H, 208,496 (includes trade in)

30.1 Communication from Jim Hedrick, Nortrax Equipment Co.

Jim Hedrick, Nortrax Equipment and Mike Larndal, Fabco Equipment, spoke regarding the benefits of their company's equipment.

MOTION by Councilor Anderson, seconded by Bridge and carried, to award bid to Fabco Equipment for low bid.

31. Requesting to expend an additional \$18,000 of Golf Course Depreciation Funds for the installation of a new well to augment the water supply needs for watering the course.

MOTION by Councilor Norbie, seconded by D Dalbec and carried, to approve.

31.1 Superior Police Department requesting to waive requirement under City Code Section 26-27(b) and 26-28, and authorize the Police Department to publish notice of bicycle auction without individual descriptions, and change time of notice to allow the sale on May 13, 2006, and donate funds to the Wisconsin Fire and Police Hall of Fame.

MOTION by Councilor D Dalbec, seconded by Anderson and carried, to approve.

4TH ORDER

BUSINESS BY THE MAYOR

32. Appointing Jackie Goodwin to the Mayor's Commission on Disabilities for a three year term expiring May, 2009.

MOTION by Councilor Finsland, seconded by D Dalbec and carried, to approve the appointment.

32.1 Mayor Ross advised of the contract awarded to the City of Superior Landfill for Western Lake Superior Sanitary District (WLSSD), Duluth, MN, waste collection; and Public Works Director Vito and Finance Director Vito provided a verbal update assuring this is an environmentally sound and financially viable arrangement for the City.

No action.

5TH ORDER

BUSINESS BY COUNCILORS

33. Council President Finsland and Vice President Anderson submitting Council Committee appointments for 2006-07.

Councilor Finsland advised of a correction to the Parks & Recreation Commission, appointing Councilor Hendry.

Barker's Island Committee..... Stenberg, Quick, Hendry

City/County Joint Committee Norbie, Finsland, E. Dalbec, Stenberg

City-wide Labor Management & Safety Cmt..... Finsland

Deer Committee	Milroy
Douglas County Historical Society.....	Finsland
Finance Committee	D. Dalbec, Anderson, Bridge, Finsland (Alt)
Golf Course Committee	Quick
Head of the Lakes Fair Board.....	Milroy
Historical Preservation Committee.....	Hendry
Human Resources Committee	D. Dalbec, Norbie, Finsland, Quick (Alt)
Lake Superior Designation Committee.....	Anderson, Quick, Milroy
Lake Superior Toxic Reduction Task Force.....	Milroy
Liability Claims Committee.....	Milroy
Library Board	Quick
License and Fees Committee.....	Bridge, Norbie, Finsland
Mayor's Commission on Disabilities	Finsland
Metropolitan Interstate Committee.....	Anderson, Milroy, E. Dalbec
Parks & Recreation Commission.....	Bridge, Stannard Hendry
Plan Commission.....	Anderson, Bridge
Police & Fire Commission.....	D. Dalbec
Public, Education & Govt Access (PEGA).....	Milroy, Anderson, Stenberg
Public Safety Committee.....	D. Dalbec, Norbie, E. Dalbec, Hendry (Alt)
Public Works Committee.....	D. Dalbec, Stenberg, Quick, Norbie (Alt)
Redevelopment Authority of the City of Superior (RACS).....	Anderson

MOTION by Councilor Finsland, seconded by Anderson and carried, to approve the appointments as amended.

6TH ORDER

RESOLUTIONS

- 34. **R06-12678** Resolution Introduced by the Community Development Division requesting the Common Council Approve the Community Development Block Grant 2006 Action Plan; Authorizing Staff to Submit Plan to U.S. Department of Housing and Urban Development.
MOTION by Councilor Norbie, seconded by D Dalbec and carried, to adopt the resolution.

- 35. **R06-12679** Resolution Introduced by the Community Development Division requesting the Common Council Approve the Consolidated Strategy & Plan for Housing and Community Development 2006-2010 Program Years; Authorizing Staff to Submit Plan to U.S. Department of Housing and Urban Development.
MOTION by Councilor Norbie, seconded by Anderson and carried, to adopt the resolution.

- 36. **R06-12680** Resolution Introduced by the Public Works Department dedicating Halvor Lane as a newly constructed street to the public use and open for travel (between Susquehanna and Maryland Avenues as part of the Vinje Industrial Park Utility and Roadway Infrastructure project).
MOTION by Councilor Anderson, seconded by Stenberg and carried, to adopt the resolution.

MOTION by Councilor Finsland, seconded by Anderson and carried, meeting adjourned at 7:25 p.m.

Respectfully submitted,
Margaret Ciccone, City Clerk
City of Superior, Wisconsin

Approved this 16th day of May, 2006

Attest:

Mayor

City Clerk