

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
TUESDAY, JUNE 5, 2007**

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.

ROLL CALL

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

Youth Council Present: Aaron Moncel, Carly Scouton

Youth Council Excused: Sarah Johnson

Also Present: Mayor Ross, City Attorney Prell, City Clerk Ciccone

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

PROCLAMATIONS AND COMMENDATIONS

Tom Wondolkowski, and Dr. Bob McClellan, representatives from the Superior Rotary Club, and Harbortown Rotary Club, presented the Superior Parks & Recreation Department with a \$600 check and thanked them for all their support on the Dragon Boat Festival.

MOTION by Councilor Anderson, seconded by D. Dalbec and carried, to suspend the rules to consider item #43.

APPROVAL OF MINUTES

MOTION by Councilor Norbie, seconded by D. Dalbec and carried, to approve the minutes of the May 15, 2007 Regular Council Meeting.

1ST ORDER

PUBLIC HEARINGS

1. Public Hearings to consider non-renewal of alcohol applicants.

a) **Kern, Renee**

Jimmy's Saloon, 1812 Iowa Avenue

Delinquent Personal Property and Special Assessments have been paid. Applicant is in compliance and approval of the license would be in order.

Delinquent Personal Property

Delinquent Special Assessments

b) **Orloski, Paul**

Tyomie's, 601 Tower Avenue

Delinquent Personal Property and Special Assessments have been paid. Applicant is in compliance and approval of the license would be in order.

Delinquent Personal Property

Delinquent Special Assessments

MOTION by Councilor D. Dalbec, seconded by E. Dalbec and carried, to approve alcohol license renewals for item numbers 1.a) and 1.b).

- c) **Turner, Isadore, Jr. & Lori (Class B Beer)** Delinquent Personal Property
Billings Park Café, 1802 Iowa Avenue Delinquent Special Assessments
No one spoke in favor of or opposition to, non-renewal of the license.
MOTION by Councilor Norbie, seconded by Bridge and carried, to non-renew the Class B Beer license.

2ND ORDER

CONSENT AGENDA

MOTION by Councilor D. Dalbec, seconded by Norbie and carried, to separate item #'s 15, and 17, and approve the remainder of the Consent Agenda.

COMMUNICATIONS AND REPORTS RECEIVED AND FILED:

City of Superior Minutes/Reports

2. Board of Building Appeals, May 23, 2007.
3. Human Resources Committee, April 16, 2007.
4. Liability Claims Committee, April 19, 2007.
5. Mayor's Commission on Disabilities, April 16, 2007.
6. Police & Fire Commission, March 14, 2007
7. Urban Forestry Tree Board, May 17, 2007.

Miscellaneous Communications and Reports

8. Housing Authority of the City of Superior, April 25 and May 9, 2007 minutes.
9. Douglas County Historical Society, April 16 and May 21, 2007 minutes.
10. Metropolitan Interstate Council, April 18, 2007 minutes.
11. Duluth Transit Authority, March 28, 2007 minutes.

MATTERS REFERRED TO:

Committee of the Whole, June 19, 2007

12. Request from Allen and Donna Pomeroy to put up for bid City-owned property located at 1117 Broadway Street. (LS 07-03)

Liability Claims Committee and CVMIC

13. #15-07 John Wick
14. #16-07 Jeffrey Jennings

Parks & Recreation Commission

15. Request from David Fulda for approval of a temporary water ski course in Pokegama Bay, approximately 700 feet off of the shoreline of Chase's Point.
Mary Morgan, Parks & Recreation Administrator, explained Mr. Fulda has applied through the Wisconsin Department of Natural Resources for a waterway marker, which requires the

City's approval. This item is being referred to the Parks & Recreation Commission to allow public input.

MOTION by Councilor D. Dalbec, seconded by Hendry and carried, to refer to the Parks & Recreation Commission.

Plan Commission

16. Request from Grand Central Development, LLC to rezone vacant property between Grand and Weeks Avenues on Belknap Street from R3, Apartment Residential District to PDD, Planned Development District. (RZ 07-03)

Public Safety Works Committee

17. Councilor Hendry requesting re-installation of "Yield" signs at the intersection of North 14th Street and Hughitt Avenue.

MOTION by Councilor Anderson, seconded by Stenberg and carried to refer this item to the Public Works Committee.

Public Safety Committee

18. Councilor Norbie requesting review of policing at the skate park.

6th Order – Resolutions

19. Assistant Finance Director Zuchowski submitting resolution for the Local Government Property Insurance Fund.

7th Order – Ordinances

20. Planning Director Serck submitting ordinance amending the composition of the Plan Commission and the Historical Preservation Committee.

STANDING COMMITTEE REPORTS APPROVED:

21. Committee of the Whole, May 15, 2007

- 1) Regarding the Preliminary Alcohol Report: To approve Part 1 (Applicants with Special Circumstances), refer Part 2 (Applicants with Basic Violations) to a Public Hearing June 5, 2007 to consider non-renewal of applications; and to approve applicants listed in Part 3 and Part 4 of the report.
- 2) a) To receive and file communication from Councilor Anderson outlining recommendation to eliminate the Plan Commission and Historical Preservation Committee and establish Plan and Preservation Commission.
 - b) To eliminate the Barker's Island Committee Council appointment.
 - c) To eliminate the Lake Superior Designation Committee Council appointment.
 - d) To eliminate the Lake Superior Toxic Reduction Committee Council appointment.
 - e) To eliminate the Council appointments to the following: Liability Claims Committee, Storm Water Flood Control Project Committee, Vehicle Ad Hoc Committee, Water Quality Advisory Committee.

22. Finance Committee, May 10, 2007

2. To approve the sewage credit for Lakeside Terrace mobile home park.
3. To submit a request to re-bid the curbside recycling proposal with the inclusion of a free drop off point recyclables.
4. To hold the Barkers Island Marina financial review in committee.
5. To hold the Review of Non-Profits Assess Payment in Lieu of Taxes in committee.
6. To approve the payments for publication for April 2007.
7. To receive and file the 2007 financial statements.

23. Human Resources Committee, May 21, 2007

3. To approve the Public Works Director/Public Works Reorganization.
4. c) To approve the request to fill the ESDPW Collection System Manager position by appointing Chris Carlson to the position.
5. a) To receive and file the Monthly Personnel Report for April 2007.

24. License & Fees Committee, May 14, 2007

1. To authorize an ordinance be drafted amending the Peddler/Solicitor/Direct Seller ordinance to require registration of permanent businesses or charitable organizations conducting door-to-door solicitation.

25. Plan Commission, May 16, 2007

1. To receive and file review of Chapter 6 of the City Code, Advertising and Signs.
2. To direct staff to research other lighting ordinances and bring back recommendations.
3. To hold a public hearing on an amendment to the project plan for Tax Incremental District Number Nine (Winter Street Industrial Park).

26. Public Safety Committee, May 9, 2007 (no quorum)

27. Public Works Committee, May 16, 2007

1. To receive and file the request from Councilor Norbie for calendar parking from North 28th to 32nd Streets on Hughitt Avenue.
2. To receive and file the request from Councilor D. Dalbec on rerouting truck traffic on Belknap Street.
3. To deny permit parking and report to Councilor Hendry on any progress made to resolve the issue of residential parking problems in the 1300 block of Cumming Avenue.
4. To approve the request from Short Elliot Hendrickson, Inc., on behalf of Carl and Susan Miller, requesting 0.4 credits of mitigation for the construction of a single-family residence to be located north on East 10th Street east of Bardon Avenue.

3RD ORDER

BUSINESS BY DEPARTMENT HEADS

City Clerk Ciccone submitting:

28. Miscellaneous licenses.

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

29. Original Class B Liquor & Beer license application submitted by Prime Rate License, Inc., Trade Name: Days Inn, 110 Harborview Parkway, Michelle Fogg – agent, for license period June 6 - 30, 2007.

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

30. Renewal Class B Liquor & Beer license application submitted by Prime Rate License, Inc., Trade Name: Days Inn, 110 Harborview Parkway, Michelle Fogg – agent, for license period July 1, 2007 - June 30, 2008.

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

Finance Director Vito

31. Providing information, comments, and resolution on the Oil Pipeline Terminal Tax Allocation plan.

MOTION by Councilor D. Dalbec, seconded by Anderson and carried, to refer to 6th Order Resolutions.

Finance Department, Information Services

32. Dan Shea requesting approval to purchase a new IBM System from Berbee for running City and County AS400 systems at City's cost of \$205,231.

MOTION by Councilor Anderson, seconded by D. Dalbec and carried, to approve contingent upon meeting lowest possible rate offered by State contract.

33. **Planning Director Serck** requesting approval to waive Section 6-31, Signs in Certain Zoning Districts and allow Catholic Charities Bureau to place information signs in front of five residential properties.

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

34. **Police Chief Peters** requesting authorization for CADmine Service Agreement with Corona Solutions (Crime Analysis Project) for \$6,820.

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

35. **Public Works Director Vito** recommending 2007 Sewer reconstruction projects be awarded to RJS Construction of Superior for low bid of \$29,000.

MOTION by Councilor Finsland, seconded by Anderson and carried, to approve.

36. **Public Works Director Vito, Planning Director Serck and Parks & Recreation Administrator Morgan** requesting authorization to purchase 126 acres of County-owned property in the Town on Parkland for SAMP II Mitigation Bank for \$126,000 (four equal annual payments of \$31,500).

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

37. **Public Works Department** recommending denial of Disabled Parking signage request for 522 Weeks Avenue as request does not meet established criteria.

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

5TH ORDER

BUSINESS BY COUNCILORS

38. Councilor Anderson submitting revised Council Committee appointments for 2007-08 (Eliminating: Water Quality Advisory, Vehicle Ad-Hoc, Lake Superior Designation, Lake Superior Toxic Reduction, Barkers Island Development and Flood Control Project).
MOTION by Councilor E. Dalbec, seconded by D. Dalbec and carried, to approve.

6TH ORDER

RESOLUTIONS

39. **R07-12741** Resolution stating the buildings and other property belonging to the City of Superior, Wisconsin be insured in the Local Government Property Insurance Fund.
MOTION by Councilor D. Dalbec, seconded by E. Dalbec and carried, to adopt the resolution.
40. **R07-12742** Resolution introduced by Finance Director Vito regarding placement of the Oil Pipeline Terminal Tax in the City's Economic Development Fund and Debt Service Funds.
MOTION by Councilor Norbie, seconded by D. Dalbec and carried, to adopt the resolution.

7TH ORDER

ORDINANCES

41. **O07-3623** Ordinance introduced by the License & Fees Committee amending the City Code of Ordinances, Chapter 94, Peddlers and Solicitors, Section 94-3 Exemptions, to require registration of permanent businesses or charitable organizations conducting door-to-door solicitation.
MOTION by Councilor E. Dalbec, seconded by Stenberg and carried, to adopt the ordinance.
42. **O07-3624** Ordinance amending the City Code of Ordinances, Chapter 98, Section 98-2, Plan Commission Established; Composition; and Section 98-87, Historic Preservation Committee Composition.
MOTION by Councilor Anderson, seconded by Hendry and carried, to adopt the ordinance.

8TH ORDER

BUSINESS BY PUBLIC

43. Lake Superior Dragon Boat Festival Committee requesting City renew its sponsorship for 2007.
MOTION by Councilor D. Dalbec, seconded by Norbie and carried, to approve City sponsorship for the 2007 Lake Superior Dragon Boat Festival.
Councilor Anderson abstained.

MOTION by Councilor D. Dalbec, seconded by E. Dalbec and carried, meeting adjourned at 7:11 p.m.

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

Approved this 19th day of June, 2007

Attest:

Mayor

City Clerk