

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
TUESDAY, MAY 15, 2007**

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

ROLL CALL

Council Members Present: Tom Quick, Tom Bridge, Jackie Stenberg, Ed Anderson, Chuck Hendry, Bob Finsland, Nick Milroy, Esther Dalbec - 8

Council Member Excused: Kevin Norbie, Dennis Dalbec - 2

Youth Council Present: Aaron Moncel

Youth Council Excused: Sarah Johnson, Carly Scouton

Also Present: City Attorney Prell, City Clerk Ciccone

Excused: Mayor Ross

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

APPROVAL OF MINUTES

MOTION by Councilor E Dalbec, seconded by Finsland and carried, to approve the minutes of the May 1, 2007 Regular Council Meeting.

1ST ORDER

PUBLIC HEARINGS

Public hearings to consider:

1. **R07-12736** Resolution introduced by the Community Development Division for the Common Council to authorize amendments to the Community Development Block Grant (CDBG) Budgets for 2004, 2005, and 2006.

Speaking to the issue: Carol Reasbeck

- 1.1 Request from Harbor House Crisis Shelters for \$54,581.50 be re-allocated for a Transitional Living Center. (No action)

MOTION by Councilor Finsland, seconded E Dalbec and carried to adopt the resolution.

2. **R07-12737** Resolution introduced by the Community Development Division for the Common Council to approve the Community Development Block Grant 2007 Action Plan; Authorizing staff to submit plan to the U.S. Department of Housing and Urban Development.

- 2.1 Community Development Supervisor Matson advising of three items needing action regarding the 2007 CDBG Proposed Action Plan.

- 2.2 Community Development Supervisor Matson submitting communications from the Superior Business Improvement District and the Boys and Girls Club providing updates to be incorporated into their 2007 grant applications.

2.3 Community Development Supervisor Matson submitting possible solutions for action needed.

The Public Services funding revised to include an additional \$41:

MOTION by Councilor Bridge, seconded by E Dalbec and carried, to divide the additional \$41 evenly among the Public Service recipients.

The CDBG Advisory Board request for additional funding of \$45,000 for 2007 Public Services:

MOTION by Councilor Bridge, seconded by Finsland and carried by roll call vote, to approve the additional funding amount up to \$45,000 and allocate as recommended by the Community Development Block Grant Advisory Board; and to reduce each Public Services *City activity based upon its percentage of total City activities.

AYE – 6 Bridge, Stenberg, Hendry, Finsland, Milroy E Dalbec

NO – 2 Quick, Anderson

*Correct
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6/19/07
Council

The Coalition for Advancement of Fair Housing (CAFH) request for the City to provide their funding through Administration/Planning rather than Public Services.

MOTION by Milroy, seconded by Bridge and carried to approve providing funding for Coalition for Advancement of Fair Housing (CAFH) through Administration/Planning rather than Public Services, and to divide the \$2,400 budgeted in Public Services equally among remaining Public Services applicants.

2.4 Charlie Cieslak spoke to the issue and provided communication.

MOTION by Councilor Milroy, seconded by E Dalbec and carried, to adopt the resolution as amended.

3. **R07-12738** Resolution vacating and discontinuing Clough and Fisher Avenues between Weeks and Catlin Avenues and North 28th Street and the Soo Line ROW. (VAC 07-02 Gustafson)

No one spoke in favor of, or in opposition to the proposed vacation.

MOTION by Councilor Bridge, seconded by E Dalbec and carried, to adopt the resolution.

4. **R07-12739** Resolution vacating and discontinuing a portion of an alley between Bardon Avenue and 14th Avenue East and East 9th and East 10th Streets. (VAC 07-03 Johnson)

No one spoke in favor of, or in opposition to the proposed vacation.

MOTION by Councilor E Dalbec, seconded by Bridge and carried, to adopt the resolution.

2ND ORDER

CONSENT AGENDA

City Clerk Ciccone advised of additions 7.1 and 14.1.

MOTION by Councilor Milroy, seconded by Stenberg and carried, to approve the Consent Agenda as amended.

COMMUNICATIONS AND REPORTS RECEIVED AND FILED

5. **United States Army Corps of Engineers** advising of breakwater repairs May 9 – June 11, 2007.

State of Wisconsin

6. **Department of Revenue** submitting 2006 Final Statement of Taxes.

Douglas County

7. Property advertised for sale.

City of Superior

- 7.1 **City Attorney Prell** advising he has entered into a stipulation with Soo Line Railroad to complete the public crossing at Belknap Street by August 30, 2008 and has requested cancellation of the May 21, 2007 public hearing.

City of Superior Minutes/Reports

8. Parks & Recreation Commission, May 3, 2007.
9. Redevelopment Authority for the City of Superior, April 24, 2007.

Miscellaneous Communications and Reports

10. Enbridge Construction Update, Issue 1, April 30, 2007.
11. Communication from Penelope White.

MATTERS REFERRED TO

Liability Claims Committee and CVMIC

12. #13-07 Chris Smith
13. #14-07 John Dromeshauser

Finance Committee

14. All Checks Register April 1 – 30, 2007.

Public Works Committee

- 14.1 Request from SEH, Inc., on behalf of Carl and Susan Miller, for 0.40 credits of wetland mitigation.

6th Order – Resolutions

15. **Mayor Ross** submitting resolution supporting the Duluth Superior Community Foundation Attracting and Retaining Young Adults Task Force.

7th Order – Ordinances

16. **Public Works Department** submitting ordinance removing disabled parking signage at 2123 East 8th Street as it is no longer needed.

17. City Attorney Prell submitting an ordinance amending Chapter 90, Section 90-77, Destruction of Natural Features Prohibited by adding “No person shall start a bonfire, cooking fire or camp fire on the Allouez Bay side of Wisconsin Point Road.”

3RD ORDER

BUSINESS BY DEPARTMENT HEADS

City Clerk Ciccone submitting:

18. Miscellaneous licenses.

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

19. Application to amend the premises of a Class B Liquor and Beer license submitted by Ale Port, LLP, Smithy’s Bar, 3823 East 2nd Street, to include parking lot immediately north/east of establishment, June 16, 2007, 8:00 a.m. - 12:00 midnight for special event.

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

20. Application submitted by KTO, Inc. Trade Name: O’Neill’s Pub & Liquor, Nancy O’Neill – agent to transfer a Class B Liquor & Beer license premises from 2917 Tower Avenue to 3333 Tower Avenue on or about May 21, 2007.

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

21. Application to amend the premises of a Class B Liquor and Beer license submitted by Lakewalk Brewery & Café’ Co., Thirsty Pagan Brewing, 1623 Broadway Street, to include the sidewalk portion of ~~Ogden Avenue~~ **Broadway Street** located directly in front of the premises located at 1623 Broadway Street for outdoor service from 4:00 p.m. until sundown May 21 – June 23, 2007; and to lease the city-owned property for the period of the amendment.

City Clerk Ciccone advised the correct location is Broadway Street located directly in front of premises located at 1623 Broadway and correct date is May 21 – June 3, 2007.

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

22. Parks & Recreation Administrator Morgan advising the Parks & Recreation Commission supports Superior Rotary Club’s proposed project to refurbish the Rotary Monument on Wisconsin Point, and requesting approval.

MOTION by Councilor Bridge, seconded by Hendry and carried, to approve. Councilor Anderson abstained.

Public Works Director Vito recommending:

23. Purchase of blacktop mix for annual street maintenance program for 2007 from any and all vendors listed in communication at their submitted prices.

MOTION by Councilor Quick, seconded by Hendry and carried, to approve.

24. Purchase of gravel and sand supplies for 2007 from any/all vendors listed in communication at their submitted prices.

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

4TH ORDER

BUSINESS BY THE MAYOR

25. Board, Committee and Commission appointments:
Police & Fire Commission: Appointing Richard Welch to a five year term expiring May 2012.
Redevelopment Authority of the City of Superior (RACS): Appointing James Crawford to complete a vacated term expiring May 2009.
MOTION by Councilor Hendry, seconded by E Dalbec and carried, to confirm the appointments.

6TH ORDER

RESOLUTIONS

26. **R07-12740** Resolution in support of the Duluth Superior Community Foundation Attracting and Retaining Young Adults Task Force.
 Fariba Pendleton and Holly Sampson of the Duluth Superior Community Foundation thanked the Council for their support.
MOTION by Councilor Bridge, seconded by Milroy and carried, to adopt the resolution.

7TH ORDER

ORDINANCES

27. **O07-3621** Ordinance amending the Traffic Code, Schedule J, Disabled Parking Zones, by deleting 2123 East 8th Street.
MOTION by Councilor E Dalbec, seconded by J Stenberg and carried, to adopt the ordinance.

28. **O07-3622** Ordinance amending the City Code of Ordinances, Chapter 90, Section 90-77, Destruction of Natural Features Prohibited, by adding “No person shall start a bonfire, cooking fire or camp fire on the Allouez Bay side of Wisconsin Point Road.”
MOTION by Councilor Bridge, seconded by Hendry and carried, to adopt the ordinance.

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

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

Approved this 5th day of June, 2007

Mayor

Attest: _____
City Clerk