

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
TUESDAY, JULY 3, 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: Sarah Johnson

Youth Council Excused: Carly Scouton

Youth Council Absent: Aaron Moncel

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.

APPROVAL OF MINUTES

MOTION by Councilor D. Dalbec, seconded by Norbie and carried, to approve the minutes of the June 19, 2007 Regular Council Meeting.

1ST ORDER

PUBLIC HEARINGS

Public Hearings to consider:

1. The 2006 Consolidated Annual Performance and Evaluation Report, CAPER, (*on file in City Clerk's Office*).

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

Motion by Councilor Norbie, seconded by E. Dalbec and carried, to receive and file.

2. 2007 Justice Assistance Grant for \$13,998. for the purpose of upgrading Evidence/Property Bar Coding System and eight tire deflation "Stop Sticks".

No one spoke in favor of, or opposition to the 2007 Justice Assistance Grant funds.

Motion by Councilor Anderson, seconded by E. Dalbec and carried, to receive and file.

2ND ORDER

CONSENT AGENDA

City Clerk Ciccone advising of addition of item # 18.1, referral to the Public Works Committee.

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

COMMUNICATIONS AND REPORTS RECEIVED AND FILED:

State of Wisconsin

3. Department of Natural Resources submitting payment of \$12.42 for lands entered under the Managed Forest Law.

City of Superior Minutes/Reports

4. Human Resources Committee, May 21, 2007.
5. Liability Claims Committee, May 17, 2007.
6. Mayor's Commission on Disabilities, May 21, 2007.
7. Parks & Recreation Commission, June 12, 2007.
8. Public Library Board of Trustees, March 7, 2007.

Miscellaneous Communications and Reports

9. Metropolitan Interstate Council, May 16, 2007.
10. Thank you from Esther Dalbec and family.
11. Disabled American Veterans advising August 3 – 4, and August 10 – 11 members will be conducting annual "Forget-Me-Not" Fund Drive in the Superior area.
12. Charter Communications submitting Franchise Fee and April 1 – 30, 2007 report.
13. Enbridge Communications project update.
14. Duluth Transit Authority, April 25, 2007.

MATTERS REFERRED TO:

Liability Claims Committee and CVMIC

15. #18-07 Bonny Vokovan

Committee of the Whole Meeting, July 17, 2007

16. Councilor Finsland, on behalf of Bob LaBounty, requesting discussion of Douglas County Historical Society's lease regarding artifacts at Fairlawn.

Finance Committee

17. Finance Director Vito requesting review of 2006 Audit Report.

Plan Commission

18. Planning Director Serck submitting request from Barker's Cove LLC for Special Use Permit.

Public Works Committee

- 18.1 Request from SEH, Inc. on behalf of Enbridge Energy, Inc., for 2.752 credits of wetland mitigation.

7th Order - Ordinances

Public Works Department submitting ordinances

19. Removing disabled parking signage at 1519 Tower Avenue (2 spaces).
20. Adding disabled parking signage at 1902 Banks Avenue (North 19th Street side).

STANDING COMMITTEE REPORTS APPROVED:

21. Committee of the Whole, June 19, 2007

1. To put up for bid City-owned property located at 1117 Broadway Street with a minimum bid of \$1,000.

22. Finance Committee, June 19, 2007

1. To approve applying for the Federal School Grant as presented.
2. To receive and file the May 2, 2007 Superior Tourism Development Fund minutes.
3. To authorize Finance Director Vito to enter into negotiations with representatives from Wessman Arena regarding the City's agreement with them.
4. To hold Barkers Island Marina Financial Review in Committee.
5. To hold review of non-profits assessed payments in lieu of taxes in committee.
6. To approve payments for publication for May 2007.
7. To receive and file the May 2007 Financial Statements.
8. To receive and file the items Finance Director Vito brought before the committee.

23. Human Resources Committee, June 17, 2007

4. a) To receive and file the Monthly Personnel Report – May 2007.

24. Plan Commission, June 20, 2007

1. Public hearing held and recommended approval of the proposed amendment to Project Plan for Tax Incremental District Number Nine (Winter Street Industrial Park).
2. To approve the application for Grand Central Development LLC to rezone vacant property between Grand and Weeks Avenues on Belknap Street from R3, Apartment Residential District to PPD, Planned Development District.
3. To approve the certified survey map submitted by Tim Scharte for the area known as Lot 1 and Lot 2 located on Scharte Drive.
4. To approve the City of Superior's Comprehensive Plan, Public Participation Plan.

25. Public Works Committee, June 20, 2007

2. To hold in committee request for reinstallation of yield signs at the intersection of North 14th Street and Hughitt Avenue.

3RD ORDER

BUSINESS BY DEPARTMENT HEADS

City Clerk Ciccone submitting:

- 26.** Miscellaneous licenses.

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

- 27.** Application to amend the premises of a Class B Liquor and Beer license submitted by Marolt Enterprises, Inc., JT's Bar & Grill, 1506 North 3rd Street, to include area immediately behind and west of establishment, September 1 – 3, 2007 for special event.

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

28. Application to amend the premises of a Class B Liquor and Beer license submitted by Keyport of Superior, Inc., Keyport Liquor Outlet & Lounge, 1900 Belknap Street, to include parking lot immediately west of establishment, August 18, 2007 for special fundraising events.
MOTION by Councilor Anderson, seconded by E. Dalbec and carried, to approve.
29. Application to amend the premises of a Class B Liquor and Beer license submitted by Great Lakes Tavern Company, Shooter's Saloon, 624 Tower Avenue, to include parking lot and city-owned property immediately north of establishment; to lease city-owned property; and authorization to block alley for vendor parking, 6:00 p.m. July 13, 2007 – 2:30 a.m. July 14, 2007.
MOTION by Councilor E. Dalbec, seconded by D. Dalbec and carried, to approve.
30. **Community Development Director Young** request Weatherization HVAC and water heaters materials and installation be awarded to contractors as attached.
MOTION by Councilor Norbie, seconded by E. Dalbec and carried, to approve.
31. **Finance Director Vito** requesting approval of 2007 Stormwater Utility Fund Budget.
MOTION by Councilor Anderson, seconded by D. Dalbec and carried, to approve.
- Planning Director Serck:**
32. Requesting approval of the Public Participation for the City of Superior's Comprehensive Plan.
MOTION by Councilor Norbie, seconded by Anderson and carried, to approve.
33. Providing presentation regarding Barker's Cove LLC Draft Development Agreement.
- 33.1 Planning Director Serck handed out a Site Perspective map.
MOTION by Councilor D. Dalbec, seconded by Anderson and carried, to receive and file.
34. **Police Chief Peters** submitting Interlocal Agreement between the City of Superior and Douglas County, regarding the 2007 Byrne Justice Assistant Grant (JAG) Program Award.
MOTION by Councilor Stenberg, seconded by E. Dalbec and carried, to approve.
- Director of Development and Government Affairs Vito requesting:**
35. To waive the bid requirements and purchase one Spaulding 4-ton Pothole Patch Trailer under the Minnesota State Bid Contract for a total cost of \$23,084.
MOTION by Councilor Finsland, seconded by Hendry and carried, to approve.
36. To award bid for Asphalt Compactor (including trailer) to Hertz Equipment Rental Corp. for low bid of \$36,544.
MOTION by Councilor E. Dalbec, seconded by D. Dalbec and carried, to approve.
37. To waive the bid requirements and purchase a John Deere 1600 Series II Wide-Angle Mower under the Minnesota State Bid Contract for \$43,382.35.
MOTION by Councilor Stenberg, seconded by D. Dalbec and carried, to approve.

38. To waive the bid requirements and purchase a John Deere F1445 Series II Front Mower under the Minnesota State Bid Contract for \$19,297.71.
MOTION by Councilor Norbie, seconded by D. Dalbec and carried, to approve.

4TH ORDER

BUSINESS BY THE MAYOR

39. City Boards/Committees and Commissions appointments:
Superior Housing Authority Board of Commissioners:
Appointing Susan J. Ferfon for a five year term expiring May 2012.
Mayor's Commission on Disabilities:
Re-appointing Jamie Slack for a three year term expiring June 2010.
Re-appointing Mike Meehan for a three year term expiring June 2010.
Parks & Recreation Commission:
Re-appointing Gene Rosburg for a three year term expiring May 2010.
Plan Commission:
Appointing James Peterson for a three year term expiring June 2010.
Tree Board:
Re-appointing Dick Welch for a three year term expiring May 2010.
Re-appointing Hugo Salmi for a three year term expiring May 2010.
MOTION by Councilor Stenberg, seconded by E. Dalbec and carried, to approve.

5TH ORDER

BUSINESS BY COUNCILORS

40. Council President Anderson appointing Councilor Hendry to the Plan Commission (based on the newly configured Plan Commission as approved at the June 5, 2007 Council Meeting)
MOTION by Councilor Finsland, seconded by D. Dalbec and carried, to approve.

6TH ORDER

RESOLUTIONS

41. **R07-12748** Resolution setting a public hearing August 7, 2007 at 6:30 p.m. in the Government Center Board Room 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 Grand Central Development)
MOTION by Councilor Anderson, seconded by E. Dalbec and carried, to adopt the resolution.

7TH ORDER

ORDINANCES

42. **O07-3626** Ordinance amending the Traffic Code, Schedule J, Disabled Parking by removing 1519 Tower Avenue, Social Security Building (2 spaces).
MOTION by Councilor Norbie, seconded by D. Dalbec and carried, to adopt the ordinance.

43. **O07-3627** Ordinance amending the Traffic Code, Schedule J, Disabled Parking by adding 1902 Banks (North 19th Street side – both sides).
MOTION by Councilor Stenberg, seconded by E. Dalbec and carried, to adopt the ordinance.

MOTION by Councilor Norbie, seconded by D. Dalbec and carried, meeting adjourned at 6:47 p.m.

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

Approved this 17th day of July, 2007

Attest:

Mayor

City Clerk