

**AGENDA FOR REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday June 12, 2012
6:30 p.m. - Government Center, Board Room 201**

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. PROCLAMATIONS AND COMMENDATIONS

4. APPROVAL OF MINUTES May 15, 2012 - Regular Council meeting

5. PUBLIC HEARINGS

5.1 R12-13070 Resolution introduced by the Plan Commission to vacate and discontinue the alley between Washington and Elmira Avenues, and Wellington and Fellows Streets. (VAC 12-02 Buelteman)

5.2 R12-13071 Resolution introduced by the Plan Commission to vacate and discontinue Harrison St. between E. 2nd and 3rd Streets. (VAC 12-03, Erickson)

5.3 R12-13072 Resolution introduced by the Plan Commission to vacate and discontinue a portion of N. 59th St. in the vicinity of Nemadji Drive. (VAC 12-05, Mehlum)

5.4 Public Hearing to consider non-renewal of applicants in Part 2 & 3 of the 2012-2013 Alcohol Report: *(Update will be provided at the meeting)*

a) CCOC, Inc.	Marlee's Caribbean Restaurant	525 Tower Avenue	Sewer & Stormwater Personal Property Fire Code Violations
b) Charlie Brown's Of Sup. Inc.	Charlie Brown's	1828 Iowa Avenue	Sewer & Stormwater Personal Property
c) Kastern, Kimberly Sue	Choo Choo Bar & Grill	5002 E. 3 rd Street	Sewer & Stormwater Personal Property
d) Mencil Corporation	Landmark Lanes	1914 Broadway St.	Sewer & Stormwater
e) On The Corner Inc.	Off The Wagon	318 Tower Avenue	Sewer & Stormwater Personal Property
f) Pro Edge, Inc.	Gronks Grill & Bar	4909 E. 2 nd Street	Sewer & Stormwater
g) Rack Em Up, Inc.	Mr Lucky's Bar & Billiards	1022 Tower Ave.	Personal Property
h) Tower Avenue Tavern, Inc.	Tower Avenue Tavern	405 Tower Avenue	Sewer & Stormwater Personal Property
i) McKay, Todd	Les's Grocery	2920 N. 21st Street	Sewer & Stormwater Personal Property

6. CONSENT AGENDA *The following items may be received and filed (r/f), referred, or approved as noted, by the Council utilizing a single vote. All licenses approved are contingent upon meeting City Code requirements. There will be no separate action on these items unless a Council member requests, and the Council approves. Communications are on file in the City Clerk's office, and may be viewed in their entirety during regular office hours.*

6.1 State of Wisconsin Commissioner of Railroads, Notice of Investigation and Hearing and Assessment of Costs, regarding installing traffic signals at the intersection of Hammond Ave. and Winter St. *r/f*

6.2 State of Wisconsin Commissioner of Railroads, Notice of Investigation and Hearing and Assessment of Costs, regarding installing a 12 foot raised median island to replace the existing painted island at the tracks crossing Tower Avenue. *r/f*

6.3 All checks register for the month of May, 2012. *r/f*

6.4 Douglas County Historical Society, April 29, 2012, meeting notes. *r/f*

6.5 Duluth Transit Authority, March 28, 2012, meeting minutes. *r/f*

6.6 Metropolitan Interstate Council, April 18, 2012, meeting summary. *r/f*

6.7 Police and Fire Commission, May 25, 2012, meeting minutes. *r/f*

6.8 Police Department 2011 Annual Report. *r/f*

6.9 Claim #12-10, Randy & Janice Terry. *refer to Claims Cmt*

6.10 Councilor Finsland is requesting review of the University area for possible signage; Crosswalk marking; and possibly moving the bus shelter. *refer to PW Cmt*

6.11 Councilor Joyal is requesting removal of stops signs on N. 12th Street at Weeks and Clough Avenues. *refer to PW Cmt*

6.12 Councilor Stenberg is requesting installation of "No Engine Braking" signage on E. 2nd St. at 24th Avenue East. *refer to PW Cmt*

6.13 Council President Herrick is requesting installation of two stop signs, one on N. 23rd St., and one on N. 24th St., and Oakes Avenue. *refer to PW Cmt*

6.14 **Finance Committee, May 10, 2012** *recommendations for approval*

3) Approve the sewage credit for Steven Olson for 1911 Butler Ave. in the amount of \$7,502.05, with payment made to the Douglas County Treasurer.

4) Approve the new contract between the City of Superior and Animal Allies for management of the Animal Shelter for the period 7/1/12 – 6/30/13.

5) Approve the 2012 Storm Water Fund Budget.

6) Hold to the June 14th Finance Committee meeting, the Internal Auditor Activity Summary.

7) Receive and file the April 2012 Financial Statements.

6.15 **Human Resources Committee, May 21, 2012** *recommendations for approval*

2) Receive and file April 2012 Personnel report.

3) Approve Local #27 (Police), 2012-13 Contract.

6.16 Special Human Resources Committee, June 6, 2012 *recommendation for approval*

- 1) Approve Local #74 (Fire), 2012-13 Contract.

6.17 License & Fees Committee, May 14, 2012 *recommendations for approval*

- 1) Approve increasing the Towing/Wrecker Service fees from \$90 to \$98, for vehicles Weighing 8,000 lbs or less; and from \$100 to \$108, for vehicles weighing more than 8,000 lbs.
- 2) Hold the review of outdoor music requirements in committee until the August 13, 2012 meeting.

6.18 Plan Commission, May 16, 2012 *recommendations for approval*

- 1) Approve request from Parkland Sanitary District #1 for a Special Use Permit for a private utility facility in the vicinity of County Rd E and E. 3rd St. (SUP 12-02)
- 2) Approve Richard Melcher's request to vacate New York Avenue between N. 21st St. and Wellington St. (VAC 12-04)

6.19 Public Safety Committee, May 9, 2012 *recommendations for approval*

- 1) Hold to the next Public Safety Committee meeting, Councilor Bender's request on behalf of various landlords and business people, concerns about fire inspections, directing Fire Chief Rigstad to meet with John Mahan and review discussed inspection reports and report back.
- 2) Approve the purchase of 35 portable radios from Two Way Communications; and three base station radios and one dual head radio, from Duluth Superior Communications, in the corrected amount of \$9,545.28.

6.20 Public Works Committee, May 16, 2012 *recommendations for approval*

- 2) Receive and file Councilor MacKenzie's request for placement of street lights at the intersections of Texas Avenue and Beacon Lane, and Overlook and Beacon Lane.

6.21 Approve miscellaneous licenses. *City Clerk Kalan*

6.22 Approve original "Class B" Liquor and Class "B" Beer license application by Shorty's Pizza and Smoked Meat, Inc., Trade Name Shorty's Pizza and Smoked Meat; 1015 Tower Avenue, Brian Noel Agent, for the license period July 1, 2012 through June 30, 2013.

7. BUSINESS BY DEPARTMENT HEADS

7.1 City Attorney Prell and Finance Director Vito recommending to refund property tax paid by 1101 Building Ltd. Partnership (Alan T. Amatuzio) based on lowered assessed property value of 1101 Building Ltd. property for the years 2009 and 2010, a total of \$99,154.84.

7.2 Finance Director Vito is requesting referral of the Animal Allies – Proposed Animal Shelter Contract, July 1, 2012 – June 30, 2013 (item #6.13 (4)); and Animal Allies Consultation and Coordination Proposal (approved May 3, 2011), back to the Finance Committee.

7.3 Planning Director Serck is recommending to award the bid to purchase City owned property at 1813 N. 26th St., to Northwest Wisconsin Community Services Agency (NWCSA) for \$2,700.

- 7.4 Planning Director Serck is recommending to award the bid to purchase City owned property at 2225-27 Ogden Avenue to David and Joy Preston in the amount of \$16,505.
- 7.5 Fire Chief Jim Rigstad is requesting approval to renew the WI Regional Hazardous Materials Response Team contract for a total of \$131,935.03 for July 1, 2012 through June 30, 2013.
- 7.6 Public Works Director Goetzman and Mark Simmonds are recommending to award the Engineering Services for the Main Plant Pump Replacement with Controls Project, to Donohue and Associates for \$66,600.
- 7.7 Public Works Director Goetzman is recommending to award the 2012 Sewer Reconstruction projects to A-1 Excavating Inc. in the amount of \$140,869.40.
- 7.8 Public Works Director Goetzman is recommending to award the 2012 Asphalt Milling project to W.K. Construction in the amount of \$70,840.
- 7.9 Assistant Public Works Director Janigo recommending to award the contract for Pavement Markings to AAA Striping, for amounts outlined in document.

8. BUSINESS BY THE MAYOR

Mayor Hagen Committee Appointments:

Police and Fire Commission – Charlie Glazman, for another five year term expiring May, 2017; Community Development Block Grant Advisory Board (CDBG) – Dan Knight, for another three year term expiring January, 2015; Urban Forestry Tree Board – Mary Kehoe, for another three year term expiring February, 2015; Mayor’s Commission on Disabilities – Hattie Crass, filling a vacancy, term expiring June, 2013; Civil Service Commission – Alan Rock, for another three year term expiring May, 2015; Superior Housing Authority Board of Commissioners – Sue Rink for another five year term expiring May, 2017; Assessment Board of Review – Margaret Ciccone, for another five year term expiring, July, 2017; Library Board – Greg Elonen, to a three year term expiring July 2015; and Urban Forestry Tree Board – Ella Cross, for another three year term expiring May, 2015.

9. BUSINESS BY COUNCILORS

10. RESOLUTIONS

- 10.1 **R12-13073** Resolution introduced by the Plan Commission setting a public hearing for August 7, 2012 at 6:30 p.m. in the Government Center Board Room 201, to vacate New York Ave. between N. 21st St. and Wellington Street. (VAC 12-04, Melcher)
- 10.2 **R12-13074** Resolution introduced by the Plan Commission Authorizing a Special Use Permit for Utility Building in the Vicinity of County Road E and East Third Street, Superior, Wisconsin. (*Parkland Sanitary District #1*)
- 10.3 **R12-13075** Initial Resolution of the City of Superior, relating to the issuance of General Obligation Bonds in an amount not to exceed \$3,000,000 for Improvements to the City’s landfill.

10.4 R12-13076 Resolution of the City of Superior, relating to the Issuance and Sale of General Obligation Corporate Purpose Bonds.

10.5 R12-13077 Resolution of the City of Superior, Authorizing the Transfer of Property to the Redevelopment Authority of the City of Superior; Approving a Cooperation Agreement with the Redevelopment Authority of the City of Superior; and Approving the Report of the Redevelopment Authority of the City of Superior Regarding the Development Agreement with Exodus Machines Incorporated and Exodus Real Estate Holdings, LLC.

10.6 R12-13078 Resolution of the Common Council of the City of Superior, Approving Execution of Lease Agreements with the State of Wisconsin Department of Administration. *(former Boathouse Restaurant and Vista properties)*

11. ORDINANCES

11.1 O12-3805 Ordinance introduced by the License & Fees Committee amending City Code Section 112-143, Towing Charges.

12. BUSINESS BY PUBLIC

If you would like to speak before the Council, please sign your name on the sign-up sheet prior to the Council meeting. Due to requirements of the Wisconsin Open Meetings laws, only matters placed on this agenda may be approved by the Council at this meeting, however, citizens may address the Council regarding items which require no action. No personal attacks on individuals will be allowed, and all comments by members of the public shall be limited to three (3) minutes in length.

Citizens should contact the Mayor, a Councilor, or the City Clerk to have a matter placed on a future Council agenda for consideration.

Pursuant to the Americans with Disabilities Act of 1990, if you are in need of an accommodation to participate in the public meeting process, please contact the City Clerk's Office at (715) 395-7200 prior to the scheduled meeting. The City will attempt to accommodate any request depending on the amount of notice received. TDD (715) 395-7521.

In compliance with Wisconsin Open Meetings Law, this agenda was:
Posted: Government Center, Court House, & Public Library,
Faxed to: Daily Telegram, Public Library, June 7, 2012