

**AGENDA FOR REGULAR COMMON COUNCIL MEETING  
SUPERIOR, WISCONSIN  
Wednesday November 7, 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**    October 16, 2012 - Regular Council meeting

**5. PUBLIC HEARINGS**

**5.1** 2013 General Fund Operating Budget.

**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** Office of Commissioner of Railroads, Supplemental Order regarding Crossing at Hammond Avenue and Winter Street intersection. *r/f*

**6.2** Duluth Transit Authority, August 29, 2012, meeting minutes. *r/f*

**6.3** Duluth-Superior Metropolitan Interstate Council, September 19, 2012, meeting summary. *r/f*

**6.4** Liability Claims Committee, September 19, 2012, meeting minutes. *r/f*

**6.5** Mayor's Commission on Disabilities, September 17, 2012, meeting minutes. *r/f*

**6.6** Police and Fire Commission, October 10, 2012, minutes. *r/f*

**6.7** Redevelopment Authority of the City of Superior (RACS), October 11, 2012, minutes. *r/f*

**6.8** Claim #12-89, Irvin Mossberger. *refer to Claims Cmt*

**6.9** Claim #12-90, MetLife on behalf of Gary Sherman. *refer to Claims Cmt*

**6.10** Finance Director Vito is requesting referral of the 2013 health insurance premiums, plan and budget. *refer to November 8<sup>th</sup> Finance Cmt*

**6.11** Finance Director Vito is requesting referral of the fire protection agreement with the Village of Superior. *refer to Finance Cmt*

**6.12** Councilor MacKenzie is requesting possible parking signage on Ohio Avenue near driveway at 3519 N. 21<sup>st</sup> St. *refer to PW Cmt*

**6.13** **Committee of the Whole, October 16, 2012** *recommendation for approval*

1) No action on the Railroad Quiet Zones presentation.

**6.14 Finance Committee, October 11, 2012 recommendations for approval**

- 2) Approve the following changes to the Stormwater Utility Charge Assessment: ERU increase from 1907 sq ft to 2933 sq ft and streamlining the fee structure by combining the fixed and variable fees into one Stormwater fee of \$5.90/mth. *(item # 11.5 O12-3818)*
- 3) Approve increasing the variable sewer usage rate, from \$5.82 to \$7.43 per CCF and leave the fixed rate at \$5.50, for a total increase in revenue of 19.88%. *(item # 11.6 O12-3819)*
- 4) Receive and file the September 2012 Internal Auditor's Activity Summary.
- 5) Receive and file the September All Checks Register.
- 6) Receive and file the September Financial Statements.

**6.15 Human Resources Committee, October 15, 2012 recommendations for approval**

- 3) Approve the Fire Chief's request for a wage adjustment for Non-Union Staff.
- 4) a) Receive and file the September Monthly Personnel Report.  
b) Receive and file the 90 day extension of ESD Acting Appointments.

**6.16 Plan Commission, October 17, 2012 recommendations for approval**

- 1) Approve Miner's Inc. request to vacate Streets and Alleys between 22<sup>nd</sup> and 23<sup>rd</sup> Avenues East and East 2<sup>nd</sup> and 4<sup>th</sup> Streets. (VAC 12-06)
- 2) Approve Miner's Inc. request to rezone property between 22<sup>nd</sup> and 23<sup>rd</sup> Avenues East and East 2<sup>nd</sup> and 5<sup>th</sup> Streets, from R3 Apartment Residential District, to C2 Highway Commercial District. (RZ 12-02)

**6.17 Public Safety Committee, October 12, 2012 recommendations for approval**

- 1) Hold in Committee Bid Opening on Dive Vehicle.
- 2) Hold in Committee Fire Dept. Inspection reports.

**6.18 Public Works Committee, October 17, 2012 recommendations for approval**

- 1) Approve the painting of a crosswalk in the spring and placement of a pedestrian stanchion at 22nd Street and Lackawanna Avenue. (Councilor MacKenzie's request for "Slow—Children Playing" signage in the area).
- 2) Receive and file Councilor Browne's request to designate the N. 3<sup>rd</sup> St. railroad corridor a Quiet Zone.
- 3) Approve Councilor Joyal's request to reinstall stop signs at N. 12<sup>th</sup> St. and Clough Avenue.
- 4) Approve UWS (Gary Gulbranson) request to allow temporary overnight parking along portions of Catlin Avenue and Faxon Street, due to construction.

**6.19 Approve miscellaneous licenses. *City Clerk Kalan***

**6.20 Approve Original Class B Liquor & Beer license application submitted by Mike Meyers LLC, 1807 N. 11<sup>th</sup> Street, Mike Meyers, Agent; for the remainder of the license period November 8 – June 30, 2013. *City Clerk Kalan***

**6.21 Approve Original Class B Liquor & Beer license application submitted by Brian Austin, Trade Name: Third Base Bar, 1218 Tower Avenue, Brian Austin Agent; for the remainder of the license period November 8 – June 30, 2013 *(License previously issued to DAB properties) City Clerk Kalan***

## **7. BUSINESS BY DEPARTMENT HEADS**

- 7.1** Assistant Finance Director Zuchowski is submitting the 2013 Liability Insurance Budget.
- 7.2** Assistant Finance Director Zuchowski is submitting the 2013 Information Services Budget.
- 7.3** Police Chief Charles LaGesse is requesting Council approval for the disposition of two seized and forfeited vehicles, as outlined in the correspondence.

Public Works Director Goetzman is recommending:

- 7.4** To award SEH a contract to perform engineering services for the Central Business District Storm Sewer Alternatives Project for \$84,450.
- 7.5** Approval of a land lease with Calvin Kamp for hanger space, #C4, at the Richard I Bong Memorial Airport.
- 7.6** Approval of an agreement with Shamrock Landfill, Inc. to dispose of paper fiber waste at the Landfill.

## **8. BUSINESS BY THE MAYOR**

- 8.1** Mayor Hagen is reappointing Chad Matushak to the Liability Claims Committee for another three year term expiring July, 2015.

## **9. BUSINESS BY COUNCILORS**

## **10. RESOLUTIONS**

- 10.1 R12-13098** Resolution of the Common Council of the City of Superior, appropriating the Necessary Funds for the Operation of the General City Government, and the Administration of the City of Superior, for the year 2013, and Authorizing and Directing a Tax Levy to be Spread on the Tax Roll of the City of Superior for the year 2012.
- 10.2 R12-13099** Resolution introduced by the Plan Commission setting a public hearing at 6:30 p.m. on the 18<sup>th</sup> day of December, 2012 in Board Room 201 of the Government Center, to vacate and discontinue streets and alleys between 22<sup>nd</sup> and 23<sup>rd</sup> Avenues East; and East 2<sup>nd</sup> and 4<sup>th</sup> Streets. (VAC 12-06, Miner's)
- 10.3 R12-13100** Resolution introduced by the Plan Commission setting a public hearing at 6:30 p.m. on the 18<sup>th</sup> day of December, 2012 in Board Room 201 of the Government Center, to rezone property between 22<sup>nd</sup> and 23<sup>rd</sup> Avenues East; and East 2<sup>nd</sup> and East 5<sup>th</sup> Streets from R3, Apartment Residential District to C2, Highway Commercial District. (RZ 12-02, Miner's)
- 10.4 R12-13101** Resolution of the Common Council of the City of Superior Approving the Transfer of Property, Execution of a Development Agreement, Grant Agreement, and Lease Agreements in Connection with the General Mills Operation, LLC Project.

- 10.5 R12-13102** Resolution of the Common Council of the City of Superior Approving Execution of a Development Agreement and Grant Agreement in Connection with the Fraser Shipyards, Inc. Project.
- 10.6 R12-13103** Resolution of the City of Superior Providing for the Sale of Approximately \$1,235,000 Taxable General Obligation Promissory Notes, Series 2012D.

## **11. ORDINANCES**

- 11.1 O12-3814** Ordinance introduced by the Public Works Committee amending City Code Chapter 112, Traffic Code, Art. II, Sch A, by deleting Two-Way Stop on N. 12<sup>th</sup> at Clough Avenue and; add Four-Way Stop at N. 12<sup>th</sup> St. and Clough Avenue.
- 11.2 O12-3815** Ordinance introduced by the Public Works Department amending City Code Chapter 112, Traffic Code, Schedule J, Disabled Parking Zones by adding 1111 Banks Avenue.
- 11.3 O12-3816** Ordinance introduced by the Public Works Department amending City Code Chapter 112, Traffic Code, Schedule J, Disabled Parking Zones by adding 1807 Ohio Avenue.
- 11.4 O12-3817** Ordinance introduced by the Public Works Department amending City Code Chapter 112, Traffic Code, Schedule J, Disabled Parking Zones by adding 2015 Lamborn Avenue.
- 11.5 O12-3818** Ordinance introduced by Public Works Director amending Chapter 114, V, Stormwater Utility Fees, as follows: ERU increase from 1907 sq ft to 2933 sq ft and streamlining the fee structure by combining the fixed and variable fees into one Stormwater fee of \$5.90/mth. *(6.14 Finance Cmt #2)*
- 11.6 O12-3819** Ordinance introduced by Environmental Services Interim Administrator Roberts Amending Chapter 114, Article II, Sewer Usage, Section 114-62 User Charge, increasing the variable sewer usage rate, from \$5.82 to \$7.43 per CCF and leave the fixed rate at \$5.50, for a total increase in revenue of 19.88%. *(6.14 Finance Cmt #3)*
- 11.7 O12-3820** Ordinance introduced by the Public Works Committee amending City Code Chapter 112, Traffic Code, Article III Parking, Schedule C, No Parking on Odd Side, by deleting Weeks Avenue between N. 6<sup>th</sup> and 7<sup>th</sup> Streets; and Schedule D, No Parking on Even Side by adding Weeks Avenue between N. 6<sup>th</sup> and 7<sup>th</sup> Streets. *(correcting #O12-3808, adopted 9/4/12)*
- 11.8 O12-3821** Ordinance introduced by the Public Works Committee amending City Code Chapter 112, Traffic Code, Article III Parking, Sch D, No Parking on Even Side by deleting Clough Avenue between N. 6<sup>th</sup> and 7<sup>th</sup> Streets; and Sch C, No Parking on Odd Side by adding Clough Avenue between N. 6<sup>th</sup> and 7<sup>th</sup> Streets. *(correcting #O12-3809 adopted 9/4/12)*

## 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.

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*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.*  
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**In compliance with Wisconsin Open Meetings Law, this agenda was:**

Posted: Government Center, Court House, & Public Library,

Faxed to: Daily Telegram, Public Library, November 1, 2012