

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
May 6, 2014**

The Regular Meeting of the Common Council was called to order by Mayor Bruce C. Hagen at 6:30 p.m. in the Government Center, Board Room 201.

1. PLEDGE OF ALLEGIANCE

- 2. ROLL CALL** Tom Fennessey, Warren Bender, Jack Sweeney, Denise McDonald, Terry Massoglia, Bob Finsland, Mike Herrick, Dennis Dalbec, Esther Dalbec – 9
Excused: Dan Olson – 1
Also Present: Mayor Hagen, City Attorney Prell, City Clerk Kalan

3. PROCLAMATIONS AND COMMENDATIONS

- 4. APPROVAL OF MINUTES** – April 15, 2014 - Regular Council meeting.
MOTION by Councilor E. Dalbec, seconded by D. Dalbec and carried, to approve.

5. PUBLIC HEARINGS

- 5.1** A public hearing to receive public comments on Community Development Needs and Fair Housing Choice. (*no action required*)
No one spoke in favor of or opposition to the item.
- 5.2** 2013 Consolidated Annual Performance and Evaluation Report (CAPER). (*no action required*)
No one spoke in favor of or opposition to the report.

6. CONSENT AGENDA

MOTION by Councilor Bender, seconded by Finsland and carried, to separate item #6.19 and approve the remainder of the Consent Agenda.

Communications and Reports Received and Filed:

- 6.1** Animal Shelter Ad Hoc Committee, April 17, 2014, proceedings.
6.2 Duluth Transit Authority Board of Directors, February 26, 2014, meeting minutes.
6.3 Liability Claims Committee, February 27, 2014, proceedings.
6.4 Metropolitan Interstate Council, March 19, 2014, meeting summary.
6.5 Redevelopment Authority of the City of Superior, April 23, 2014, meeting minutes.
6.6 Urban Forestry Tree Board, April 22, 2014, meeting notes.

Matters Referred:

Liability Claims Committee:

- 6.7** Claim #14-13, Julie Ulvila
6.8 Claim #14-14, Matthew Dankers

- 6.9 Claim #14-15, Mark Hunter
- 6.10 Claim #14-16, Roberta DeMoure
- 6.11 Claim #14-17, Dennis Davy
- 6.12 Claim #14-18, Richard Gondik Jr

Special Committee of the Whole, May 6, 2014

- 6.13 Finance Director is requesting to refer discussion on the Capital Improvement Program.

Plan Commission:

- 6.14 Pete Paine, Pas Tyme, Ltd., request to rezone property between Lamborn and Weeks Avenues beginning at N. 57th St, south for approximately 250 feet.

Public Works Committee:

- 6.15 Councilor Sweeney is requesting Speed limit and/or Slow – Children Playing signage in the area of 22nd Ave. E., and E. 11th Street.

Standing Committee Reports Approved:

6.16 Human Resources Committee, April 14, 2014

- 2) Approve the request to fill the Parts & Materials Clerk position with the proposed increased wage range.
- 3) Approve the Library request to fill and change positions.

6.17 Plan Commission, April 22, 2014

- 1. Approve Ron Gustafson’s request to vacate streets and alleys. (VAC 14-01)
- 2. Approve Ron Gustafson’s request for a preliminary plat review of Spartan Circle.
- 3. Approve Fred Paine’s request to vacate a portion of 2nd Ave. East (H Street) between E. 5th and 6th Streets. (VAC 14-02)
- 4. Hold in committee Mark Manion’s, (Broadway Superior Properties, LLC), request to vacate a portion of John Avenue between Winter and Broadway Streets. (VAC 14-03)
- 5. Approve Kwik Trip, Inc.’s request to vacate a portion of the alley located between 21st and 22nd Avenues East and East 2nd and 3rd Streets. (VAC 14-04)
- 6. Approve Kwik Trip Inc.’s request to rezone property at 2115, 2125 and 2131 East 3rd St, from R3, Apartment Residential to C2, Highway Commercial District. (RZ 14-02)
- 7. Approve Dave Herbeck’s request to submit a Certified Survey Map for property known as 2002, 2010 and 2016 Tower Ave. (CSM 14-01)
- 8. Approve Atwater Group’s request to submit a Certified Survey Map for four acres of property located at the corner of Susquehanna Ave. and Halvor Lane. (CSM 14-02)
- 9. Approve Administrative request to update the definitions of “yard, front” and “yard, side” in Chapter 122, Zoning.

6.18 Public Works Committee, April 15, 2014

- 1. Deny Councilor E. Dalbec’s request for a four-way stop on N. 12th and Hammond Ave.
- 2. Approve the Town of Parkland purchase of 1.85 credits from the City’s Compensatory Wetland Mitigation Bank.

3. Deny Councilor McDonald's request to remove calendar parking on E. 4th Street between E & F Streets.

Licenses to be Approved: *City Clerk Kalan*

6.19 Approve miscellaneous licenses.

**MOTION by Councilor Bender, seconded by D. Dalbec and carried, to approve.
Councilor Bender Abstained.**

6.20 Approve application to amend the premise of a Class B Liquor & Beer License, and a One Day Cabaret, by O'Neill's Pub and Liquor, 3333 Tower Avenue, Nancy O'Neill Agent, for a special event July 26 - 27, 2014.

7. BUSINESS BY DEPARTMENT HEADS

7.1 Planning & Port Director Serck is recommending approval of a Facility Use Agreement between the City and Dennis Goman, for a small section of property at the southerly end of the Tower Slip.

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

8. BUSINESS BY THE MAYOR

8.1 Mayor Hagen is recommending to appoint Keith Kern and Tom Wondolkowski to the Parks and Recreation Commission.

MOTION by Councilor Sweeney, seconded by Bender and carried, to approve.

9. BUSINESS BY COUNCILORS

Councilor Olson (via email) requested an explanation of the sewage billing.

9.1 Council President Finsland and Vice President Fennessey submitting 2014-15 Committee Assignments.

City-wide Labor Management	D. Dalbec
Deer Committee	D. Dalbec
Development Association.....	Olson
Douglas County Historical Society.....	Sweeney
Finance Committee	D. Dalbec, Sweeney, Herrick, Finsland (Alt)
Golf Course Committee	Olson
Human Resources Committee	McDonald, Finsland, Herrick, E. Dalbec (Alt)
Library Board	Bender
License and Fees Committee.....	Fennessey, McDonald, E. Dalbec, Sweeney (Alt)
Mayor's Commission on Disabilities	Finsland
Metropolitan Interstate Committee.....	Bender, Olson, Fennessey
Parks & Recreation Commission.....	Massoglia, Herrick
Plan Commission.....	Fennessey, Massoglia E. Dalbec
Police & Fire Commission.....	Herrick
Public, Education & Govt. Access (PEGA)	Massoglia

Public Safety Committee.....	Bender, E. Dalbec, D. Dalbec, Olson (Alt)
Public Works Committee.....	Olson, Fennessey, Finsland, Herrick (Alt)
Superior-Douglas Co. Convention & Visitor Bureau..	D. Dalbec
Superior Public Museums Board.....	McDonald
Superior Senior Center.....	Sweeney
Superior Tourism Development Foundation.....	Bender, McDonald
Urban Forestry Tree Board.....	Sweeney

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

10. RESOLUTIONS

10.1 R14-13174 Resolution setting a public hearing to June 17, 2014, 6:30 p.m. in the Government Center Board Room 201, to vacate streets and alleys in the Plat of West Superior Boulevard Addition to the City of Superior. (VAC 14-01, Gustafson)

MOTION by Councilor Fennessey, seconded by D. Dalbec and carried, to adopt the resolution.

10.2 R14-13175 Resolution setting a public hearing to June 17, 2014, 6:30 p.m. in the Government Center Board Room 201, to vacate a portion of 2nd Avenue East (H Street) between 5th and 6th Streets. (VAC 14-02, Paine)

MOTION by Councilor Bender, seconded by Fennessey and carried, to adopt the resolution.

10.3 R14-13176 Resolution setting a public hearing to June 17, 2014, 6:30 p.m. in the Government Center Board Room 201, to vacate a portion of the alley located between 21st and 22nd Avenues East and East 2nd and 3rd Streets. (VAC 14-04, Kwik Trip)

MOTION by Councilor Fennessey, seconded by McDonald and carried, to adopt the resolution.

10.4 R14-13177 Resolution setting a public hearing to June 17, 2014, 6:30 p.m. in the Government Center Board Room 201, to rezone lots known as 2115, 2125, and 2131 E. 3rd St. from R3, Apartment Residential to C2, Highway Commercial District. (RZ 14-02, Kwik Trip)

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

10.5 R14-13178 Resolution Approving the Project Area Boundaries for the E. 8th St. Single Family Housing Project; and Making Findings and Determination Regarding Such Project Area Regarding Urban Renewal and Redevelopment; and Draft Project Plan.

MOTION by Councilor Herrick, seconded by Bender and carried, to adopt the resolution.

10.6 R14-13179 Resolution Approving the Grant Agreement with the Superior Housing Authority Regarding the Grand Central Project; and Draft Grant Agreement.

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

Paul Gerard, Gerard Corporation (Superior Partners LLC) explained they are proposing to build a 50 unit multifamily residential rental facility restricted to persons 55 years old or older. They hope to be open by May of next year.

10.7 R14-13180 Resolution proclaiming May 10, 2014, International Migratory Bird Day.
MOTION by Councilor E. Dalbec, seconded by D. Dalbec and carried, to adopt the resolution.

11. ORDINANCES

11.1 O14-3876 Ordinance amending City Code Ch. 122, Zoning, Article I, Definitions, *yard, front, and yard, side.*
MOTION by Councilor Finsland, seconded by Fennessey and carried, to adopt the ordinance.

12. BUSINESS BY PUBLIC

MOTION by Councilor Herrick, seconded by E. Dalbec and carried, to adjourn meeting at 7:08 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 20th day of May, 2014.

Attest:

Mayor

City Clerk