

****AMENDED****

(Item #7.1)

**AGENDA FOR REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday, August 16, 2016
6:30 p.m. - Government Center, Board Room 201**

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. PROCLAMATIONS AND COMMENDATIONS**
- 4. APPROVAL OF MINUTES** August 2, 2016 - Regular Council meeting
- 5. PUBLIC HEARINGS**
- 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.*

Communications and Reports to be Received and Filed:

- 6.1** Police Chief Alexander advising of the purchase for four vehicles from the State bid contractor, Ewald Automotive Group, Oconomowoc, WI.
- 6.2** Duluth-Superior Metropolitan Interstate Council (MIC) June 15, 2016, meeting summary.

Matters to be Referred:

Liability Claims Committee

- 6.3** 1) #16-10 Abby Good
- 2) #16-11 Robert Dincau
- 3) #16-12 Courtney & Leigh, Ltd

Standing Committee Reports to be Approved:

- 6.4 Public Safety Committee, July 20, 2016** *recommendations for approval*
 - 1) To receive and file the Police Department update.
 - 2) To receive and file the Fire Department update.
 - 3) To approve changes to the Fire Prevention code and Property Maintenance Code.

Licenses to be Approved:

- 6.5** Application to amend the premise of a Class B Liquor & Beer License for Fish Burger, Inc., Grumpy's Tavern, August 27 & 28, 2016.

6.6 Miscellaneous licenses.

7. BUSINESS BY DEPARTMENT HEADS

7.1 Planning Director requesting authority to purchase the land and building located at 524 Faxon Street in order to mitigate flooding issues associated with the property.

8. BUSINESS BY THE MAYOR

8.1 Mayor Hagen recommending to fully fund all grants and donations to various organizations at 2016 levels for 2017, with the requirement all recipient organizations provide a complete accounting for all funds provided by the city to ensure compliance.

9. BUSINESS BY COUNCILORS

10. RESOLUTIONS

10.1 **R16-13307** Resolution introduced by Better City Initiative requesting an advisory referendum question relating to a Local Exposition District Tax be placed on the November 8, 2016 General Election Ballot.

11. ORDINANCES

11.1 **O16-3976** Ordinance introduced by the Fire Department amending Chapter 104, Section 273, Property Maintenance and Housing Code, Premises Identification.

11.2 **O16-3977** Ordinance introduced by the Fire Department amending Chapter 54, Fire Prevention and Protection.

11.3 **O16-3978** Ordinance introduced by City Attorney Prell amending Section 1-14, Citations and Deposit for Violation of Certain Provisions of the City Code of Ordinances.

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, and must not include endorsements of any candidates or other electioneering.

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, August 11, 2016 ****

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday, August 2, 2016**

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

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL Warren Bender, Keith Kern, Graham Garfield, Ruth Ludwig, Mike Herrick, Brent Fennessey, Esther Dalbec – 7

Excused: Tom Fennessey, Dan Olson, Jack Sweeney – 3

Also Present: Mayor Hagen, City Attorney Prell, Deputy Clerk Pettit

3. PROCLAMATIONS AND COMMENDATIONS

Mayor Hagen thanked those involved in the planning and execution of the Blue Light Project and Light-up Superior Project.

4. APPROVAL OF MINUTES July 19, 2016 - Regular Council meeting

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

5. PUBLIC HEARINGS

6. CONSENT AGENDA

MOTION by Councilor Bender, seconded by Garfield and carried, to separate item #6.7b and approve the remainder of the Consent Agenda.

Communications and Reports to be Received and Filed:

6.1 Urban Forestry Tree Board, July 21, 2016.

Matters to be Referred:

Referred to Public Works Committee

6.2 Councilor Olson requesting yield sign on North 55th Street and John Avenue (traffic yielding to John Avenue).

Standing Committee Reports to be Approved:

6.3 **Finance Committee, July 14, 2016** *recommendations for approval*

3) To receive and file the 2015 audited financial statements presentation.

4) To hold Long Range Planning in committee.

5) To reduce interest and penalty on delinquent personal property taxes from 1.5% per month to 1.0% per months.

6) To receive and file the June 2016 check register.

7) To receive and file the 2016 General Fund Financial Statements.

8) To receive and file the General Financial Overview.

6.4 Human Resources Committee, July 25, 2016 recommendations for approval

- 1) To approve the increased hours for 3 part-time Library Technician positions.
- 4) To approve the Work Period Definitions Policy #1.12.
- 5) To receive and file the Monthly Personnel Report for June 2016.

6.5 Plan Commission, July 20, 2016 recommendations for approval

- 1) To approve request from Dave Evans to vacate a portion of C Street in the vicinity of Broadway Street and East 3rd Street.

6.6 Public Works Committee, July 20, 2016 recommendations for approval

- 1) To receive and file the request for installation of pedestrian lighting along Wyoming Avenue between Wellington and North 28th Streets.
- 2) To hold in committee the creation of a consolidated chapter of the city code, regarding public nuisance issues, with the hope to formally approve the item next month.
- 3) To approve the CAT D8T lease with the option to purchase, for the landfill.
- 4) To approve ESD's purchase of a Peco Puller Replacement via Sole Source Solicitation, from MacQueen Equipment at a price of \$33,450.
- 5) To approve ESD's purchase of a John Deere Tractor Loader Backhoe under the Minnesota Net State Bid Contract #T-622(5) for a total cost of \$109,383.24.
- 6) To approve EDS's Furniture Procurement through Wisconsin State Contract.
- 7) To receive and file the Assistant Public Works Director's Report.

Licenses to be Approved:

6.7 Applications to amend the premise of Class B Liquor & Beer licenses:

- a) Tower Avenue Tavern, Inc., Trade Name: Tower Avenue Tavern, 405 Tower Avenue, August 20, 2016.
- b) Jimmy's Saloon, LLC, Trade Name: Jimmy's Saloon, 1812 Iowa Avenue, August 5 – 6, 2016.

MOTION by Councilor Garfield, seconded by Ludwig and carried, to approve. Councilor Kern abstains.

- c) Flame Night Club, Inc., Trade Name: Flame Night Club, 1612 Tower Avenue, September 2 – 3, 2016.
- d) Hudy's Bar, 2126 East 5th Street, August 6 – 7 and September 9 – 10, 2016.

6.8 Approve miscellaneous licenses.

7. BUSINESS BY DEPARTMENT HEADS

7.1 Finance Director Vito submitting 2017 – 2021 Capital Improvement Program.

Chris Bronson, Assistant Finance Director, gave brief presentation on Capital Improvement Program.

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

Public Works Director Janigo

- 7.2 Recommending to enter into a five year lease with purchase option for one 2016 CAT D8T Track Type Tractor with landfill package from the Caterpillar Governmental Merchandise Program.

MOTION by Councilor Dalbec, seconded by Garfield and carried, to approve.

- 7.3 Recommending waiver of bidding requirements to purchase two mowers (listed in memo) from Duluth Lawn & Sport via the Minnesota Net State Bid contract.

MOTION by Councilor B. Fennessey, seconded by Bender and carried, to approve.

Environmental Services Director Roberts:

- 7.4 Requesting approval to purchase a Peco Puller Replacement via Sole Source Solicitation from MacQueen Equipment at a price of \$33,450.

MOTION by Councilor Herrick, seconded by Dalbec and carried, to approve.

- 7.5 Requesting approval to purchase at 2016 John Deere Tractor Loader Backhoe from Nortrax Equipment via the Minnesota Net State Bid contract for a total of \$109,383.24.

MOTION by Councilor Dalbec, seconded by B. Fennessey and carried, to approve.

- 7.6 Requesting to purchase office furniture from Northern Business Products, via Wisconsin State Contract, for an amount anticipated not to exceed \$28,997.48.

MOTION by Councilor B. Fennessey, seconded by Herrick and carried, to approve.

Parks & Recreation Director Cadotte

- 7.7 Requesting a waiver of the ordinance restricting the use of pesticides on city lands for the application of herbicide to remove glossy buckthorn on Barkers Island, effective immediately and expire when efforts are completed, no later than September 31, 2016.

MOTION by Councilor Bender, seconded by B. Fennessey and carried, to approve.

- 7.8 Requesting approval a five year land lease and use agreement between the City of Superior and the Billings Park Civic Association, Inc.

MOTION by Councilor Herrick, seconded by Dalbec and carried, to approve.

8. BUSINESS BY THE MAYOR

- 8.1 Mayor Hagen appointing Geof Wendorf to the Parks & Recreation Commission for a term expiring January 2019.

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

9. BUSINESS BY COUNCILORS

10. RESOLUTIONS

10.1 R16- 13306 Resolution introduced by the Plan Commission setting a public hearing on September 20, 2016 at 6:30 p.m. in Room 201 of the Government Center to vacate a portion of C Street in the vicinity of Broadway Street and East 3rd Street.

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

11. ORDINANCES

11.1 O16-3975 Ordinance amending City Code Chapter 112 – Traffic Code, Schedule J, Disabled Parking Zones by adding 2208 Ogden Avenue (both sides)

MOTION by Councilor Bender, seconded by Kern and carried, to adopt the ordinance.

12. BUSINESS BY PUBLIC

Meeting adjourned at 6:51 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 16th day of August, 2016.

Attest:

Mayor

City Clerk



Superior Police Department Memorandum

TO: City Council
FROM: Chief Nicholas Alexander
DATE: August 3, 2016
SUBJECT: State Bid vehicle purchase

Pursuant to Ordinance Section 2-379(b), this memo is to inform the Council that the Police Department has requested that Fleet Manager Len Moen order the following vehicles from state bid contractor Ewald Automotive Group, Oconomowoc, WI.

- Two (2) 2017 Ford Utility Police Interceptors. Purchase price of the vehicles including manufacturers options and delivery is \$55,284.00. This price includes a State of Wisconsin Municipal Discount of \$13,652.00.
- Two (2) 2016 Chevrolet Silverado 1500 4x4 Crew Cab Special Service Police trucks. Purchase price of the vehicles including manufacturer’s options and delivery is \$65,458.00. This price includes a State of Wisconsin Municipal Discount of \$13,534.00.

These vehicles will replace three existing Police Department vehicles that are being retired from service and one vehicle that is being repurposed within the Police Department.

This purchase is included in the Police Department’s 2016 CIP budget.

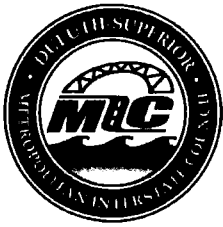
The Superior Police Department is sworn to protect, committed to justice and dedicated to professional service.
Security – Service – Equality – Professionalism – Department Members



6.2

MIC Transportation Advisory Committee
June 15, 2016 Meeting Summary

Meeting Location	Duluth International Airport	
Meeting Chair	Jim Foldesi	
Note Taker(s)	Barb Peterson	
Members Present		
	Bryan Anderson	Mn/DOT District 1
<i>alternate</i>	Brian Boder	St Louis County
Vice-Chair	Dave Bolf	City of Hermantown
Committee Chair	Jim Foldesi	St. Louis County Engineering
	Josh Gorham	BPAC Rep/St Louis County SHIP
	Jason Jackman	Douglas County
	Todd Janigo	City of Superior
	Dennis Jensen	DTA
	John Kelley	City of Duluth Planning
	Chris Lee	City of Duluth Planning
	John McDonald	MnDOT District 1
	Cari Pedersen	City of Duluth Engineering
	Jim Sharrow	Duluth Seaway Port Authority
	Dena Young	WisDOT NW Region
Members Absent		
<i>alternate</i>	Jim Heilig	DTA
<i>alternate</i>	John Mulder	City of Hermantown
<i>alternate</i>	Shawna Mullen	BPAC Rep /HDAC
	Jason Serck	City of Superior
	Cindy Voigt* 6.10.16	City of Duluth Engineering
	Tom Werner	Duluth Airport Authority
	VACANT	City of Proctor
	VACANT	MN DEED Office
* Excused Absence		
Others Present		
	Ron Chicka	ARDC/MIC Director
	Chris Belden	ARDC/MIC Planner
	James Gittemeier	ARDC/MIC Senior Planner
	Eric Miller	ARDC/MIC GIS Specialist
	Barb Peterson	ARDC/MIC Administrative Assistant
	Blaine Peterson	DAA Operations Director
	Natalie Peterson	DAA Communications Director
	Bobbi Retzlaff	MnDOT Central Office
	Rondi Watson	ARDC/MIC Planner Assistant



MIC Transportation Advisory Committee June 15, 2016 Meeting Summary

1. Introductions

Chair Jim Foldesi called the meeting to order at 1:37 pm. All meeting attendees introduced themselves.

2. Committee Business

- **Meeting Summary of 05.17.16**

Chair Foldesi asked for any changes or corrections to the previous month's meeting summary. Hearing no objections, she asked for a motion to approve.

Motion Discussion and Vote	Cari Pedersen/John McDonald moved to approve the 05.17.16 meeting summary as presented. There was no discussion and the motion was approved unanimously.
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- **MIC Director Report:**

Ron Chicka announced that Andy McDonald had been brought back as a contractor to complete the Port Land Use Plan update. He also introduced the MIC's new intern Kyra Harley. Ron updated everyone that the "Can of Worms" project that MnDOT submitted an application for special dollars for was 1 of 3 projects submitted just from Minnesota alone. Overall there was 10 times the dollar amounts applied for than was available. Please see the Director's Report provided in the meeting packet for more details.

3. Guest Speaker: Blaine Peterson or Natalie Peterson

Re: DHL & Sky Harbor Updates

Natalie Peterson opened the presentation by discussing the economic impact of the 2 airports. Since the last Economic Impact Study was done in 2007, they are looking to begin an update very soon. Blaine Peterson then continued the presentation addressing the runway construction projects for the main runway at DHL and the upcoming project at Sky Harbor. The main Runway (9-27) was first paved in the 1950's and has been patched several times. The runway has now out lived its design life and needs to be reconstructed. At DHL runway 9-27 will undergo a complete reconstruction in 3 stages. The first has begun on the middle portion of the runway and should be completed this summer. DHL is also working towards extending runway 3-21 from 5718 feet to 8,000 feet. The Sky Harbor Airport runway is also going to be reconstructed due to the old growth Pine tree forest at the end of the runway which is posing a safety concern. The FAA given the DAA a small window to correct the problem or it will be shut down. Currently this project is in the design and permitting stage. They are hoping to begin Phase 1 construction (of 3) in the fall of 2017. The DAA is also working on the mitigation portion of the permitting process. If these projects are not completed the FAA could shut them down.

4. Approval of the Start of the 30-day Public Comment Period (July 1, 2016) for the Draft 2017-2020 Duluth Area TIP, Chris Belden

Chris Belden briefly reviewed the 2020 projects and announced that the Open Houses were scheduled for July 19th and 26th. After asking for questions or comments and hearing none he asked for a motion to approve the start of the 30-day Public Comment Period for the Draft 2017-2020 Duluth Area TIP.

Motion Discussion and Vote	Carrie Pedersen/Jim Sharrow moved to approve the start of the 30-day Public Comment Period (July 1, 2016) for the 2017-2020 Duluth Area TIP. There was no discussion and the motion was approved unanimously.
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MIC Transportation Advisory Committee June 15, 2016 Meeting Summary

5. Harbor Planning Update, *Rondi Watson*

Rondi Watson gave a brief description of the agenda topics covered which included:

- HTAC Subcommittee updates:
 - Dredging – Jim Sharrow
 - Open Water Mitigation – Deb Deluca
 - Navigation – LCDR Jerry Butwid
- Duluth International Airport & Sky Harbor Updates from Tom Werner (being presented to the TAC & MIC as well). Tom covered the construction currently started at DLH replacing the main runway in three stages. The first stage, the middle of the runway is underway. He also stated that the Sky Harbor runway will hopefully begin its transformation in 2017. They are currently working on mitigation projects to replace the habitat that will be filled in to move the runway path away from the old growth trees now beginning to impede the safety of the runway.
- Current Maritime Initiatives from Steve Fisher, Executive Director, American Great Lakes Port Association – Steve covered the following topics:
 - Vessel Incidental Discharge Act (VIDA) – hoping to accomplish a single, uniform federal ballast water discharge regulations. These regulations would pre-empt state regulations that are all vastly different.
 - Great Lakes Pilotage Rates – the US Coast Guard sets these rate which has increased by 58% over 2016-2017. There has been a 114% increase over the last decade. There is currently a lawsuit pending in US District Court allowing for negotiated/mediated rate setting and cost efficiencies.
 - Great Lakes Marine Sanctuaries – Steve suggested that those with interests in the Great Lakes such as shippers, shipping companies and harbor groups need to show up and make their case during the public process when citizen groups start the initial stages of looking towards applying to become a Marine Sanctuary. Some of these concerns should be dredging, dredge material placement, vessel discharges and anchoring to name a few.
- Both MN and WI reported on the progress of their respective Freight Plans. They are both looking for feedback.



MIC Transportation Advisory Committee June 15, 2016 Meeting Summary

6. 2017-2018 Work Program Project Discussion, *Ron Chicka*

Ron Chicka stated that he is looking for what projects the TAC members would like to see in the 2017-2018 Work Program. Some of those might include:

- Rice's Point area in conjunction with the C & D docks – traffic modeling consultant might be able to assist with suggestions on which direction to go in.
- Winter St/Truck Traffic – maybe a small area plan would be a possibility
- Transit Development Plan
- South Tower/Kwik Trip
- Belknap
- E 2nd/Bong Vet Center south
- Douglas Cnty parking needs in City Hall Area
- Douglas Cnty Bike routes
- MIC Area Bike Plan
- MIC Area Pedestrian Plan

7. Duluth Township Trails Plan, *James Gittemeier*

James Gittemeier stated that this plan came from one of the goals of the Duluth Township Comp Plan. After reviewing the results of a survey that was done, it was determined that a multi-use trail/pathway next to the road was the most desirable. James shared the recommendations for 5 main trails/connectors based on the main destinations in the township. He included a spreadsheet of the trail system details which included an estimated cost of construction, a priority ranking and the length to name a few. James provided the completed plan to the township leaders for their approval.

8. Safe Routes to School/ Hermantown, *Chris Belden*

Chris Belden stated that this plan was a shared effort between the MIC and ARDC's Regional Division. He shared the process from the survey of what parents and students might want, describing the current conditions and the recommendations that were presented to Hermantown SRTS committee members.

9. Round Table Discussions

Jim Foldesi announced that the 4th st projects came in at about \$1 million over budget.



MIC Transportation Advisory Committee June 15, 2016 Meeting Summary

10. Project Updates – (please see agenda item descriptions)

- Bus Bike Walk Month, James Gittemeier
- US Bike Route 41, James Gittemeier
- Travel Demand Modeling Contract, Rondi Watson
- Michigan St-Protected Bikeway Demonstration, James Gittemeier/Chris Belden.

11. Adjournment

With no further agenda items, discussions or announcements, Chair Foldesi adjourned the meeting at 3:24 pm.

Date Submitted 8/4/16
Liability Claims Cmt info given

Dept Claim Number 16-10

CITY OF SUPERIOR NOTICE OF CLAIM FORM

RETURN FORM TO:

CITY CLERK'S OFFICE
1316 N. 14th STREET
SUPERIOR, WI 54880
(715) 395-7200

RECEIVED
AUG 04 2016
City Clerk
Superior, Wisconsin

(PLEASE PRINT)

NAME Abby Good

ADDRESS 1501 East 4 Street Superior WI 54880
City State Zip

TELEPHONE (home) 715 591 2889 (work) _____

INCIDENT: DATE AND TIME: July 21, 2016 early AM

LOCATION: 1501 East 4 Street

WAS POLICE REPORT FILED? No INJURED?(name) No

WHERE TREATED? TYPE OF INJURY? _____

(TYPE OF DAMAGE - circle one below)

Vehicle Property-Personal-Injury(specify) _____

ESTIMATE OF DAMAGE: \$ Estimate Attached

PROPERTY OWNER NAME: AMANDA MATTHIASON (218-) 340-4488

(IF DIFFERENT than above)

ADDRESS: 1723 E. 6th St. SUPERIOR

STATE BRIEFLY WHAT HAPPENED: During the early morning storm,
parts of the tree fell. One piece landed on my car. It
dentd the roof of the car (from the front edge of the sunroof
to almost the windshield) & the hood of the car where it meets
the fender.

We contacted Parks + Rec. about the tree, they told us that this
is what we needed to file on 7/21/16.

Signature: agood Date: August 1, 2016

cc: City Attorney; Tom Mann, Cities & Villages Municipal Insurance Co.;
Public Works Street Dept. Planning _____ C.D. _____ Police Chief _____
Other _____

Council 8/16/16

Date Submitted 8/2/16
Liability Claims Cmt info given _____

Dept Claim Number 16-11

CITY OF SUPERIOR NOTICE OF CLAIM FORM

RETURN FORM TO: CITY CLERK'S OFFICE
1316 N. 14th STREET
SUPERIOR, WI 54880
(715) 395-7200

RECEIVED
AUG 08 2016
City Clerk
Superior, Wisconsin

(PLEASE PRINT) NAME Robert Dincag
ADDRESS 29565 East St. Chisago City, MN 55013
TELEPHONE (home) 651-343-7044 (work) _____

INCIDENT: DATE AND TIME: 7-25-16
LOCATION: Hwy 2 by Aldover

WAS POLICE REPORT FILED? no INJURED?(name) no
WHERE TREATED? TYPE OF INJURY? —

(TYPE OF DAMAGE - circle one below)
Vehicle-Property-Personal-Injury(specify) chipped windshield

ESTIMATE OF DAMAGE: \$ 2005

PROPERTY OWNER NAME: same as above
(IF DIFFERENT than above)
ADDRESS: _____

STATE BRIEFLY WHAT HAPPENED: I was driving on Hwy 2 heading toward Duluth. A Superior Public works crew was working on the road cleaning up ~~gravel~~ gravel on the inside lane. There was a lot of small rocks on the road. One of the rocks got thrown and hit my windshield. I believe ~~that~~ the city crew should have made an effort to protect or prevent such things from happening.

Signature: [Signature] Date: 7-30-16

cc: City Attorney; Tom Mann, Cities & Villages Municipal Insurance Co.;
Public Works Street Dept. Planning _____ C.D. _____ Police Chief _____
Other _____

Council 8/16/16

Date Submitted 8/10/16
Liability Claims Cmt info given

Dept Claim Number 16-12

CITY OF SUPERIOR NOTICE OF CLAIM FORM RECEIVED

RETURN FORM TO: CITY CLERK'S OFFICE
1316 N. 14th STREET
SUPERIOR, WI 54880
(715) 395-7200

AUG 10 2016
City Clerk
Superior, Wisconsin

(PLEASE PRINT)

NAME COURTNEY LEIGH, Ltd. Kevin & Linda Podvin
ADDRESS 10 N. 2nd ST. SUPERIOR, WI 54880
City State Zip

TELEPHONE (home) (218) 390-7016 (work) (715) 395-0500

INCIDENT DATE AND TIME: 8-2-16 - MORNING

INCIDENT LOCATION: 10 N. 2nd ST. SUPERIOR

WAS POLICE REPORT FILED? NO INJURED?(name) NO

WHERE TREATED? TYPE OF INJURY? _____

(TYPE OF DAMAGE - circle one below)

Vehicle Property Personal-Injury (specify) _____

ESTIMATE OF DAMAGE: \$ 600,000

PROPERTY OWNER NAME: KEVIN & LINDA PODVIN

(IF DIFFERENT than above)

ADDRESS: SAME

STATE BRIEFLY WHAT HAPPENED: CONSTRUCTION ON HILL AVE. PUMP FAILURE CAUSED BACKED UP RAW SEWAGE TO PERMEATE OUR ENTIRE LOWER LEVEL OF OUR BUILDING. WAS OUT OF TOWN WHEN IT HAPPENED. DISCOVERED IT 8-3-16 ONE DAY AFTER. DESTROYED OUR FIXTURES, INVENTORY, CLIENT PRODUCTS, ETC, ETC. TERRIBLE. WE ARE WIPED OUT!!!

Signature: [Signature] Date: 8-10-16

cc: City Attorney; Tom Mann, Cities & Villages Municipal Insurance Co.;
Public Works Street Dept. Planning C.D. Police Chief
Other _____

Council 8/16/16

Proceedings of the Public Safety Committee July 20, 2016

Members Present: Councilor Warren Bender
 Councilor Tom Fennessey (alt)
 Councilor Esther Dalbec

Others Present: Chief Alexander, Chief Panger, Shelley Nelson

Councilor Bender called the meeting to order at 4:02 p.m. and noted that roll call had been taken by sign up.

Approval of Public Safety meeting minutes of May 17, 2016

Motion by Councilor Dalbec seconded by Councilor Fennessey and carried to approve Public Safety meeting minutes from May 17, 2016.

Police Department Update:

Chief Alexander talked about current staffing. Officer Dalbec recently retired, creating a vacancy, and there will likely be another retirement before the end of the year. Currently we have three officers attending recruit school, who have been hired to fill previous vacancies.

The body-worn cameras have been ordered for officers working Patrol, as well as Patrol supervisors. Chief Alexander thinks they will be an asset to our Patrol operations, and help to restore some trust between citizens and the police. The Chief talked about the recent shootings across the nation, and how these types of incidents create anxiety and a heightened sense of personal security among officers. Chief Alexander mentioned the gathering that was held at the Government Center last week. It was peaceful and had a positive message. The Chief said we will continue to our efforts to try and increase trust within our community.

Motion by Councilor Fennessey, seconded by Councilor Dalbec and carried to receive and file the Police Department update.

Fire Department Update:

Chief Panger told the committee that the department has participated in South End Days, and will participate in East End Days, Billings Park days, as well as National Night Out which will be held on August 3rd.

Chief Panger explained that fire department members are providing community education by offering several different First Aid classes to local businesses. The Chief told committee members about the different types of training that the department is offering.

Motion by Councilor Fennessey, seconded by Councilor Dalbec and carried to receive and file the Fire Department update.

New Business:

1. Referred from May 17, 2016 Council meeting, Fire Chief Panger submitting proposed changes to the Fire Prevention Code and Property Maintenance Code.

Chief Panger explained to the committee members the proposed changes to Fire Prevention and Property Maintenance codes.

Motion by Councilor Dalbec seconded by Councilor Fennessey and carried to approve the changes as they exist.

2. Meeting scheduling

It was agreed as previously discussed, to change the Public Safety meetings to the 3rd Wednesday of each month at 4:00 p.m.

No action

The Public Safety Committee meeting was adjourned at 4:28 p.m.

APPLICATION TO AMEND THE PREMISE
OF A CLASS B LIQUOR & BEER LICENSE
FOR A SPECIAL EVENT

****Application must be filed with City Clerk's Office at least 15 days prior to Council action****

Today's Date: 8/11/16 What is the Special Event? Street Dance

Corporation Name: Fish Burger Inc.

Trade Name: Grumpys Tavern Address: 3823 E 2nd St

Contact Person: Craig Burger Phone: 218-391-1296 Email Taverngrumpys@yahoo.com

Date & Time of Event: From 8/27/16 12:00 pm To 8/28/16 12:00 am

Amend the premise to include: *Please be specific* Bar Trade and Parking lot adjacent

Do you own the premise to be added to your license? Yes No If No, list owner/s Jim Bolin

If the property is City-owned, you must sign a lease to cover the amended premises

Band DJ None *Music outdoors is allowed during the special event only:
Sunday - Thursday 12:00 p.m. - 10:00 p.m. Friday & Saturday 12:00 p.m. - 12:00 a.m.

****If you are having a band you must have a Cabaret license (One Day Cabaret license \$50)****

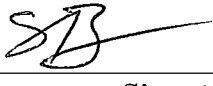
Will food be served? Yes No If Yes, you **must** contact the Health Dept for their regulations.

What type of fence will you use to keep control of the amended premises? Spur fence

What are your plans to respond to emergencies? 911

Security personnel to ensure crowd/noise/fire/litter control Yes No

*By signing below I accept this license subject to revocation by the Council of the City of Superior,
upon violation of any of the provisions of the Alcohol license ordinance.*



Signature

(See back for requirements)

Fee: \$25 + \$15 Health (if food at event) = (\$40) Receipt # 3233 Council: 8-16

Approvals: Police Chief _____ Date _____

Sent for approvals:
8-1-16

Fire Inspector _____ Date _____

Health Inspector _____ Date _____

Please return to Linda Byrnes, Deputy City Clerk 395-7595 by: 8-15-16

6.6

City Clerk's Office - Miscellaneous License Applications

2016-2018 Tavern Operators (16 total)		
Beattie, Marjorie L.	Kinnee, Darla R.	Skorich, Scott K.
Coombe, Jessica M.	Olson, Angela M.	Sutherland, Tawni J.
Dietrich, Rita L.	Roske, Tammy M.	Voehl, Lee L.
Geegan, Kyle J.	Schaust, Cameron J.	Wangerin, Daniel N.
Herrick, Kim M.	Sclavi, Anthony R.	
Hicks, Jessica A.	Sislo, Dane A.	


2016-2018 Taxicab Operators (2 total)		
Hagerl, James R.	Shoff, Michael J.	

Date: August 8, 2016

Agenda Date: August 16, 2016

MEMORANDUM

To: Honorable Mayor Hagen and Members of the Superior Common Council

From: Jason Serck, Planning Director 

Re: Requesting Authority to Purchase the Land and Building Located at 524 Faxon Street in Order to Mitigate Flooding Issues Associated with the Property

Over the years, and most recently in 2010 and 2012, the property located at 524 Faxon Street has had numerous issues with flooding. The property, owned by Monica Tikkanen, has had degrees of flooding from the basement to the first floor.

In March of 2014, the City Council approved a resolution allowing for the Environmental Services Division to apply for a Wisconsin Municipal Flood Control Grant in order to work with Ms. Tikkanen to purchase her property, raze the structure and restore the land. The grant was approved in the amount of \$136,000, which will fund 70% of the project. The balance of project, \$58,500, will be covered by stormwater and wastewater funds along with Public Works in-kind work for the demolition. Here is the breakdown of costs:

- \$164,000 negotiated purchase price for the home
- \$20,000 demolition costs
- \$11,000 land restoration

We have been working with Ms. Tikkanen on the purchase of her property for quite some time and she has indicated that she is now ready to move. It is our intention to enter into a purchase agreement with Ms. Tikkanen in the next couple of weeks and close on the property in September for \$164,000.

Please authorize pertinent City staff to endorse all documents related to the purchase of property located at 524 Faxon Street in the City of Superior.

Please let me know if you have any questions regarding this action. Thanks for your time.

Pictures showing (clockwise from top left) high water level of creek, a flood event engulfing home, a flood event that caused sewer overflow, and another sewer backups causing pollution:



RESOLUTION #R14-13167

RESOLUTION INTRODUCED BY STEVE ROBERTS, ENVIRONMENTAL SERVICES DIRECTOR, AUTHORIZING SUBMITTAL OF GRANT APPLICATIONS TO THE WISCONSIN MUNICIPAL FLOOD CONTROL GRANT PROGRAM

WHEREAS the City of Superior is qualified, willing and able to carry out all activities described in the state grant application; and,

WHEREAS in this action the Common Council of the City of Superior has declared its intent to conduct the Municipal Flood Control Grant project described in the application; and,

WHEREAS, the City of Superior will allow employees from the Department of Natural Resources access to inspect grant project sites; and,

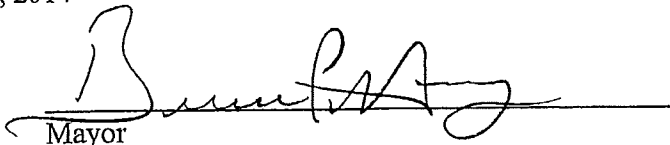
WHEREAS, the City of Superior will maintain records documenting all expenditures made during the Municipal Flood Control Grant project; and,

WHEREAS, the City of Superior will submit a final report to the Department which describes all Municipal Flood Control Grant project activities, achievements and data collected, and documentation of the project costs.

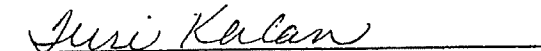
NOW, THEREFORE, BE IT RESOLVED by the Common Council:

1. That the Common Council of the City of Superior requests the funds and assistance available from the Wisconsin Department of Natural Resources under the Municipal Flood Control Grant Program and will comply with state rules for the program, and,
2. HEREBY AUTHORIZES Diane Nelson, Stormwater and Administrative Manager, to act on behalf of the City of Superior to submit two applications to the State of Wisconsin for financial aid for Municipal Flood Control protection purposes, sign documents, and take necessary action to undertake, direct, and complete the approved flood control projects.

Passed and adopted this 4th day of March, 2014


Mayor

Attest:


City Clerk



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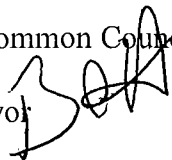
Office of the Mayor

Bruce C. Hagen, Mayor
Rani Gill, Chief of Staff to the Mayor

Phone: (715) 395-7212
Fax: (715) 395-7590
TDD: (715) 395-7521
E-mail: mayor@ci.superior.wi.us

1316 North 14th Street, #301
Superior, WI 54880
Website: www.ci.superior.wi.us

MEMORANDUM

DATE: August 10, 2016
TO: Members of the Common Council
FROM: Bruce Hagen, Mayor 
SUBJECT: Grants and Donations

Recent recommendations from the Finance Committee and unanimous adoption by the Common Council reduced grants and donations allocation to fifty percent (50%) of the amount awarded for calendar year 2016. It was also recommended and adopted that all grants and donations to the various organizations be one hundred percent eliminated (100%) beginning calendar year 2108. The exceptions are Superior Public Museums and the Senior Center.

I am forwarding this matter back to the Common Council with the recommendation to fully fund the organizations at the 2016 level for 2017. I also believe, as does the Finance Committee, that there needs to be a requirement for full accountability from said organizations each year to be considered for further funding, if any.

To that end, this recommendation carries with it the requirement for all grant and donation recipient organizations to provide a complete accounting for all funds provided by the city. To ensure compliance, each organization must provide detailed accounting to the Finance Department with a recommendation from the Finance Department to the Finance Committee as to providing individual grants or donations for each succeeding year.

Thank you.

CC: Rani Gill, Chief of Staff
Department Heads
Recipient Organizations

RESOLUTION #R16-13307

A RESOLUTION INTRODUCED BY BETTER CITY INITIATIVE REQUESTING AN ADVISORY REFERENDUM BE PLACED ON THE NOVEMBER 8, 2016 GENERAL ELECTION BALLOT

WHEREAS, Better City Initiative would like the Wisconsin State Legislature to pass legislation implementing a Local Exposition District Tax within the City of Superior for the purpose of acquiring and managing exposition center facilities.

WHEREAS, Better City Initiative requests the following Advisory Referendum question be placed on the November 8, 2016 General Election ballot:

“Should the Wisconsin State Legislature pass legislation authorizing a Local Exposition District Tax to further economic development in the City of Superior by attracting new businesses, providing job opportunities to residents, reducing unemployment, growing business activity within the City of Superior, expanding the local tax base, encouraging tourism, and bringing needed capital into the City by implementing a Local Exposition District Tax on lodging, food and beverage consumed at local establishments and car rentals for the purpose of acquiring and managing exposition center facilities and other development related to the Better City Superior Plan?”

NOW, THEREFORE, BE IT RESOLVED, the Common Council directs the City Clerk to place the referendum question on the November 8, 2106 General Election Ballot.

Adopted this 16th day of August, 2016.

Mayor

ATTEST:

City Clerk

Kalan, Terri

From: Serck, Jason
Sent: Wednesday, August 10, 2016 7:59 AM
To: Kalan, Terri
Subject: Fwd: Superior Local Exposition District Referendum Language (002)
Attachments: Superior Local Exposition District Referendum Language (002).pdf

Terri....here is the official request for the referendum.

Thanks.

Jason Serck
Economic Development, Planning and Port Dir.
City of Superior, Wisconsin
715.395.7335
serckj@ci.superior.wi.us
www.ci.superior.wi.us

----- Original message -----

From: Bruce Thompson <BThompson@nbcbanking.com>
Date: 08/10/2016 7:34 AM (GMT-06:00)
To: "Serck, Jason" <serckj@ci.superior.wi.us>
Cc: "Hagen, Bruce" <hagenb@ci.superior.wi.us>
Subject: Superior Local Exposition District Referendum Language (002)

Hi Jason,

Bettercity:Superior Inc. requests the attached advisory referendum language be introduced at the August 16, 2016 Superior City Council meeting for endorsement and inclusion on the November 8, 2016 electoral ballot.

I will be there to make brief comments and answer any questions.

Thanks You.

Bruce D. Thompson
President-Bettercity:Superior Inc.

ORDINANCE # O16-3976

AN ORDINANCE INTRODUCED BY THE FIRE DEPARTMENT AMENDING CHAPTER 104 Section 273, PROPERTY MAINTENANCE AND HOUSING CODE.

The Common Council of the City of Superior, Wisconsin, does ordain as follows:

SECTION 1. Chapter 104, Section 273 of the City Code of Ordinances is hereby repealed and recreated as follows:

Sec. 104-273. - Premises identification.

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the ~~street or road~~ **street, road, or alley** fronting the property. ***Buildings divided into multiple units such as, but not limited to suites or apartments shall have approved numbers placed on or adjacent to the entrance door(s) of the units.*** These numbers shall contrast with their background. Address numbers **and unit numbers** shall be Arabic numerals or alphabet letters.

SECTION 2. All ordinances and parts of ordinances conflicting with this ordinance are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and publication.

Adopted and approved this 16th day of August, 2016.

Mayor Bruce Hagen

Attest: _____
City Clerk



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Superior Fire Department

Arthur E. Gil de Lamadrid, Lead Fire Inspector
Superior Fire Department
3326 Tower Av
Superior, WI 54880

Phone: (715) 394-0227
Fax: (715) 394-0215
www.ci.superior.wi.us
arturg@ci.superior.wi.us

April 12, 2016

Ms. Terri Kalan
City Clerk
1316 N. 14th St.
Superior, WI, 54880

Dear Ms. Kalan:

I have attached a copy of the proposed changes to the City Fire Prevention Code which is chapter 54 of the City of Superior Code of Ordinances and to the Property Maintenance Code which is chapter 104 of the City of Superior Code of Ordinances. I have also attached copies of the ordinances as they would read after the proposed changes were made.

This proposal includes the following changes.

1. Section 104-273: We have added language to require numbers to be posted on the alley side of buildings as well as the street side of buildings. This is a provision that was originally a part of this code but seems to have been dropped from it unintentionally. Additionally, language has been added to require buildings with multiple units to post the number of each unit on the door to that unit and to number the exterior doors of larger buildings.
2. Section 54-1(a): A correction of an error in grammar was made.
3. Section 54-1(b)(1) was recreated as Section 54-1(b)(2) and was altered to reflect the current state fine for this violation and clarified to apply to unintentional false alarms. A new Section 54-1(b)(1) was created to address intentional false alarms and to reflect the fine designated in the state statutes for this offense.
4. Section 54-6: Language was changed to correct a typo.
5. Section 54-7: Language was added to reflect language in use throughout Section 54 and the "s" was dropped from the word "codes" to accommodate the added language.
6. Section 54-8: Language was changed to correct a typo.
7. Section 54-52: Language was added to reflect language in use throughout Section 54.
8. Section 54-52 (1): Language was changed to clarify that this subsection applies only to boxes installed since the code was first adopted and to update the reference to the state code in this subsection.
9. Section 54-74(a): Language was added to reflect language in use throughout Section 54 and the "s" was dropped from the word "codes" to accommodate the added language.

10. Section 54-83(3): Language was altered to change the maximum distance between a fire department connection (FDC) and the nearest fire hydrant.
11. Section 54-91: Language was added to update the state code that is referenced in this subsection.
12. Section 54-94(b): Language was added to reflect language in use throughout Section 54.

If you or any of the councilors have any questions regarding the attached proposed changes to the Fire Prevention Code, please feel free to contact me.

Sincerely,

Arthur E. Gil de Lamadrid
Lead Fire Inspector

ORDINANCE # O16-3977

AN ORDINANCE INTRODUCED BY THE FIRE DEPARTMENT AMENDING CHAPTER 54, FIRE PREVENTION AND PROTECTION.

The Common Council of the City of Superior, Wisconsin, does ordain as follows:

SECTION 1. The below sections of Chapter 54 Fire Prevention and Protection of the City Code of Ordinances are hereby repealed and recreated as follows:

Sec. 54-1. - False fire alarms.

(a) *Definitions.* As used in this article, the following words, terms and phrases shall have the meanings ascribed to them in this section:

Alarm device means any device located in a building in the city which, when activated, causes an alarm to be transmitted to the fire department or the communications center from any switchboard, transferring terminal or other switching device either by ~~self dialing~~ ***self-dialing*** prerecorded notification units, telephone lines, radio waves, sound waves or any other means, which alarm, whether sent directly or indirectly, is sent for the purpose of alerting any person or device of an intrusion, possible intrusion, holdup, fire or for any other purpose.

False alarm means any alarm signal originating from a fire alarm device or audible alarm device to which the fire department responds and which results from:

- (1) False activation, including reporting of a fire where no actual fire has occurred, or reporting a fire alarm where there is no indication of a fire;
- (2) Alarm malfunction, including a mechanical or electrical failure;
- (3) Alarm triggered by licensee's negligence;
- (4) Trouble condition, including electrical failure or telephone company malfunction. If immediate notice is communicated to the Douglas County 911 Center or fire department before their arrival that the alarm was accidentally activated, such activation will not be considered a false alarm.

(b) *Penalty.* The penalty for violating subsection (a) shall be as follows:

The violation of subsection (a)(1) is Class A misdemeanor and a \$10,000 charge or imprisonment not to exceed 9 months, or both may be assessed. (Wi Administrative Code 939.51(3)(a))

The violation of subsections (a)(2) to (a)(4), A a \$50.00 \$100.00 charge may be assessed for each additional ***unintentional*** false alarm after five or more false alarms in a calendar year against any licensee, occupant or owner of a premises.

Sec. 54-6. - Fire prevention code retroactivity.

The requirements of this chapter known as the Fire Prevention Code shall apply to all buildings in the city regardless of ~~time of~~ ***the*** date of construction unless otherwise noted in the specific section of the code.

Sec. 54-7. - Fire prevention code inspections.

The fire department shall conduct inspections of all buildings and occupancies which require inspection by the fire department per the requirements of the Wis. Admin. Code § COMM14 or its ***most current*** successor codes. Fire prevention code inspections shall be conducted as follows:

- (1) Fire prevention code inspections shall be conducted twice per calendar year in each building or occupancy.
- (2) Inspections in addition to the required semiannual inspections may be conducted when, in the opinion of the fire chief or his designee, they are required to determine compliance with the requirements of this code as well as any other applicable codes.
- (3) In cases where the fire chief or his designee determines that a building or occupancy imposes a lesser risk to life safety or is deemed to be of a decreased risk of fire it may be inspected only once per calendar year.
- (4) Inspections shall be scheduled and conducted on a timetable determined by the fire chief or his designee.

Sec. 54-8. - Building occupancy and pre-occupancy inspection.

- (a) *Scope.* This subsection shall apply only to buildings which require inspection by the fire department per the requirements of the Wis. Admin. Code chapter COMM14 or its ***most current*** successor codes.
- (b) *{Certificate of occupancy; conditions.}* Prior to occupancy of any building or portion thereof and prior to the issuance of a certificate of occupancy as required under section 122-92 of this Code the following conditions shall be met:
 - (1) Any newly constructed building must be inspected by the fire department to determine compliance with the requirements of this code and any other applicable codes prior to occupancy.
 - (2) Any time that there is a change in the occupant of an existing building or portion thereof it must be inspected by the fire department to determine compliance with the requirements of this code and any other applicable codes prior to occupancy.

- (3) Occupancy shall not be permitted prior to the correction of all deficiencies found during the pre-occupancy inspection.

Sec. 54-52. - Required installation.

Any building which is required by the Wisconsin Administrative Code Chapter COMM 18 *or its most current successor code* to have an elevator key box shall comply with the following requirements:

- (1) ~~The elevator~~ *Elevator* key ~~box~~ *boxes installed after July 1, 2004* shall be installed in compliance with COMM 18.31(3) 1999 edition *or the current elevator code adopted by the state of Wisconsin.*
- (2) All elevator key boxes located in the city shall be fitted with a lock specified by the fire department.
- (3) The elevator key box shall be installed within a foot horizontally of the hoistway door on the floor of recall. It shall be installed six feet vertically from the surface of the floor.
- (4) The elevator key box shall contain the keys required for the emergency operation of the elevator, the elevator machine room keys, and the keys to any doors through which travel is necessary to travel from the location of the elevator key box to the elevator machine room. All keys stored in the elevator key box shall be clearly labeled with regard to their function.
- (5) All keys for the lock on the elevator key box shall be turned over to the fire department.
- (6) Any time the locks which are operated by the keys required to be stored in the elevator key box are changed, the owner of the building shall immediately cause to be notified the fire department and shall immediately provide the fire department with the keys for the new locks.

Sec. 54-74. - Maintenance.

- (a) *Required.* All testing and maintenance required by the 2002 edition of National Fire Prevention Association (NFPA) 25 ~~and~~ *or its most current* successor codes, as well as any other applicable codes, shall be performed on all fire hydrants.
- (b) *Exceptions.* Fire hydrants which meet the requirements of either exception (1) or (2) of this subsection are not required to meet the maintenance requirements of subsection (a) of this section.
 - (1) With the approval of the fire chief or his or her designee, the owner of an abandoned fire hydrant may cause the hydrant to be removed.
 - (2) With the approval of the fire chief or his or her designee, the owner of an abandoned fire hydrant may cause the bonnet of the hydrant to be painted flat black.

Sec. 54-83. - Fire department connection location.

The FDC shall be so located as to comply with the following requirements:

- (1) The FDC shall be located on the side of the building facing the street of address.
- (2) The FDC shall be located adjacent to the main entry to the building.

Exception: The FDC may be located at a location other than adjacent to the main entry of the building provided that the location meets with the approval of the fire department.

- (3) The FDC shall be located within ~~150~~ **250** feet walking distance of the closest fire hydrant.
- (4) Access to the FDC from the public way shall be clear of obstructions including accumulations of snow.
- (5) The FDC shall be located in such a way as to comply with the requirements of all current building codes.

Sec. 54-91. - Scope.

This article shall apply to all fuel-fired appliances installed in buildings which require inspection by the fire department per the requirements of the 2002 edition of the Wis. Admin. Code chapter COMM 14.47 *or its most current successor code*.

Sec. 54-94. - Rated enclosure.

- (a) All fuel-fired appliances installed in buildings covered by the scope of this subsection and which were constructed before July 1, 2002 shall be installed in a one hour rated enclosure.

Exception: Fuel-fired appliances designed with a sealed combustion chamber shall not be required to meet the requirements of subsection 54-94.

- (b) All fuel-fired appliances installed in buildings covered by the scope of this subsection and which were constructed on or after July 1, 2002 being less than 400,000 BTUs need not meet the requirements of subsection 54-94(a) but must comply with the requirements of the 2000 edition of the International Building Code 302.1 or its *most current* successor code.

SECTION 2. All ordinances and parts of ordinances conflicting with this ordinance are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and publication.

Adopted and approved this 16th day of August, 2016.

Mayor Bruce Hagen

Attest: _____
City Clerk

ORDINANCE # 016-3978

AN ORDINANCE INTRODUCED BY CITY ATTORNEY FROG PRELL AMENDING SECTION 1-14, CITATIONS AND DEPOSIT FOR VIOLATION OF CERTAIN PROVISIONS OF THE CITY CODE OF ORDINANCES.

The Common Council of the City of Superior, Wisconsin, does ordain as follows:

SECTION 1. Section 1-14, Citations and deposit for violation of certain provisions of the City Code of Ordinances is hereby amended add Section 86-19, Shoplifting, to page CD1:10 and to list the Chief of Police as the Enforcement Official.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence or clause or phrase or portion thereof.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

Passed and adopted this _____ day of _____, 2016.

Mayor

Attest:

City Clerk



SUPERIOR

W I S C O N S I N


Living up to our name.

City Attorney's Office
Frog Prell, City Attorney
Heather Peterson, Paralegal

Phone: (715) 395-7214
Fax: (715) 395-7590
E-mail: attorney@ci.superior.wi.us

1316 North 14th Street, #301
Superior, WI 54880

TO: Members of the City Council

FROM: Frog Prell 

DATE: August 10, 2016

RE: Section 1-14, Citations and deposit for violations of certain provisions

Attached is a proposed amendment to Section 1-14, Citations and deposit for violations of certain provisions, of the City Code of Ordinances. In prosecuting city ordinances, it came to light that there was a gap in the ordinance with regard to the ability of the police department to issue citations for shoplifting. This amendment is intended to fill that gap.