

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING  
SUPERIOR, WISCONSIN  
May 5, 2009**

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

**ROLL CALL**

Council Members Present: Dan Olson, Tom Bridge, Warren Bender, Greg Mertzig, Ed Anderson, Chuck Hendry, Bob Finsland, Mike Herrick, Mick MacKenzie, Esther Dalbec – 10  
Also Present: Mayor Ross, City Attorney Prell, City Clerk Kalan

There being a quorum present, meeting was in order, and the Pledge of Allegiance was recited.

**APPROVAL OF MINUTES**

**MOTION by Councilor Dalbec, seconded by Bender and carried, to approve the minutes of the April 21, 2009 Regular Council meeting.**

**2<sup>ND</sup> ORDER**

**CONSENT AGENDA**

City Clerk Kalan advising of an addition to the Consent Agenda, item #13.1 referral to the Public Works Department.

**MOTION by Councilor Finsland, seconded by Bridge and carried, to separate item number 4 and approve the Consent Agenda as amended.**

**COMMUNICATIONS AND REPORTS RECEIVED AND FILED:**

**State of Wisconsin**

1. Governor Doyle presenting the City of Superior with Homeland Security grants:
  - a) \$4,970 to the Joint Regional Dive Team to purchase equipment that enhances ability to respond to emergency incidents; and
  - b) \$23,034 to fund personnel costs for fire department training at Wisconsin's Regional Emergency All-Climate Training Center.
  
2. Public Service Commission advising Northern States Power Company request for approval to construct a Biomass Gasifier at its Bay Front Generating Facility

**Douglas County**

3. Douglas County Historical Society March 16, 2009 meeting minutes.

**City of Superior**

4. City Attorney Prell submitting executed Purchase Agreement between Douglas County Historical Society (DCHS) and the City of Superior for the purchase of the Pattison Collection.  
**MOTION by Councilor Bender, seconded by MacKenzie and carried, to receive and file.**

**City of Superior Minutes/Reports**

5. Liability Claims Committee February 18, 2009 meeting minutes.
6. Police and Fire Commission March 11, 2009 meeting minutes.
7. Urban Forestry Tree Board April 16, 2009 meeting minutes.

**Miscellaneous Communications and Reports**

8. Duluth Transit Authority Board of Directors February 25, 2009, meeting minutes.
9. Superior Tourism Development Fund 2007 and 2008 meeting minutes.

**MATTERS REFERRED TO:**

**Liability Claims Committee**

10. Claim #09-13 William Bunker
11. Claim #09-14 Auto Owners Insurance on behalf of William & Jeanne Downs
12. Claim #09-15 John Doherty

**Public Safety Committee**

13. Councilor Finsland request discussion regarding safety issues for a new playground at Woodland Way housing complex.
- 13.1 Councilor Anderson requesting signage on Elm Street at F Court in Hayes Court.

**7<sup>th</sup> Order – Ordinances**

14. City Attorney Prell submitting an ordinance amending City Code Section 106-8(a) unauthorized encroachments on public ways to constitute a nuisance.
15. Public Works Administrative Assistant Kimberlin submitting an ordinance amending City Code Chapter 112, Traffic Code, Schedule K, Disabled – Do Not Block Sidewalk, by adding 1818 John Avenue.

**STANDING COMMITTEE REPORTS APPROVED:**

**16. Human Resources Committee, April 20, 2009**

3. Approve changes to the Weatherization staffing and job descriptions.
5. Approve wage step/adjustments relating to minimum wage increase.
6. Approve wage step increase for the ES Collections System Manager.
7. Receive and file March 2009 Monthly Personnel Report.

**17. Plan Commission, April 22, 2009**

1. Approve Special Use Permit for Krist Oil, 4202 E. 2<sup>nd</sup> St., for outdoor sales. (SUP 09-02)
2. Approve David LaLiberte, 24 Quechee Street, request to vacate New York Avenue between Wellington Street and Park Place. (VAC 09-02)

**18. Public Works Committee, April 15, 2009**

1. Traffic Calming Policy, Held in Committee.
2. Faxon parking issue, Withdrawn.
3. Approve “No Parking Between Signs” at N. 18<sup>th</sup> Street (behind 1802 Ogden Avenue).
4. Approve “No Parking Between Signs” at 513 Cumming Avenue.
5. Review signage on N. 15<sup>th</sup> Street and Ogden Avenue, Held in Committee
6. Review parking at 2415 E. 5<sup>th</sup> Street, Regina Hill Apartments, Held in Committee
7. Receive and file request to repair alley between 24<sup>th</sup> and 25<sup>th</sup> Avenues East and E. 2<sup>nd</sup> and 3<sup>rd</sup> Streets.

**LICENSES APPROVED:**

**City Clerk Kalan submitting:**

19. Miscellaneous licenses.
20. Applications by Dodgies East End Tavern LLC, trade name Dodgies, 2114 E. 1<sup>st</sup> Street, to amend premises of a Class B Liquor & Beer; and for a One Day Cabaret license for a special event, July 11, 2009.
21. Application by Great Lakes Tavern Company, trade name Shooters Saloon, 624 Tower Avenue, to amend premises of a Class B Liquor & Beer license for a special event, July 17 – 19, 2009.

**4<sup>TH</sup> ORDER**

**BUSINESS BY THE MAYOR**

**Mayor Ross Committee Appointments:**

22. Police and Fire Commission: Charlie Glazman, filling vacated term ending May 2012; and Tom Fennessey, term ending May 2014.

**MOTION by Councilor Anderson, seconded by Olson and carried, to approve.**

Redevelopment Authority of the City of Superior RACS): Kevin Norbie, term ending May, 2014.

- 22.1 Redevelopment Authority of the City of Superior (RACS): Mike McCoshen, term ending May, 2014.

**MOTION by Councilor Dalbec, seconded by Bridge and carried, to approve.**

Plan Commission: Jim Sigfrids, term ending May, 2012;

**MOTION by Councilor Anderson, seconded by Dalbec and carried, to approve.**

Tree Board: Ella Cross, term ending May 2012.

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

Civil Service Commission: Linda Hines and Don Odermann to terms ending May 2013.

**MOTION by Councilor Olson, seconded by Bender and carried, to approve.**

**5<sup>TH</sup> ORDER**

**BUSINESS BY COUNCILORS**

23. **Council President Olson and Vice President Finsland** submitting committee assignments:

City-Wide Labor Management .....	Finsland
Deer Committee .....	Mertzig
Development Association.....	Bridge
Douglas County Historical Society .....	Bender
Finance Committee .....	Anderson, Bridge, Bender, Olson (Alt)
Golf Course Committee .....	MacKenzie
Head of the Lakes Fair Board .....	Olson
Human Resources Committee .....	Finsland, Hendry, MacKenzie, Mertzig (Alt)
Library Board .....	MacKenzie
License and Fees Committee .....	Finsland, Dalbec, Olson, Herrick (Alt)
Mayor's Commission on Disabilities .....	Finsland
Metropolitan Interstate Committee .....	Bender, Olson, Anderson
Parks & Recreation Commission .....	Bridge, Hendry
Plan Commission .....	Anderson, Bridge, Hendry
Police & Fire Commission .....	Herrick
Public, Education & Govt Access (PEGA) .....	Mertzig
Public Safety Committee .....	Dalbec, MacKenzie, Bender, Olson (Alt)
Public Works Committee .....	Finsland, Anderson, MacKenzie, Dalbec (Alt)
Redevelopment Authority of the City of Superior (RACS)	Herrick
Superior-Douglas Co. Convention & Visitor Bureau .....	Bridge
Superior Public Museums Board .....	Mertzig
Superior Senior Center .....	Hendry
Superior Tourism Development Foundation .....	Bender, Hendry
Tree Board .....	Herrick

**MOTION by Councilor Olson, seconded by MacKenzie and carried, to approve.**

**6<sup>TH</sup> ORDER**

**RESOLUTIONS**

24. **R09-12873** Resolution by Council President Olson and Vice President Finsland opposing the State Petroleum Tax.

**MOTION by Councilor Finsland, seconded by Anderson and carried, to adopt the resolution.**

25. **R09-12874** Resolution introduced by the Plan Commission authorizing a Special Use Permit for Agricultural Outdoor Sales, at 4202 E. 2<sup>nd</sup> Street. (SUP 09-02, Krist Oil)

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

26. **R09-12875** Resolution introduced by the Plan Commission setting a Public Hearing to June 16, 2009 at 6:30 p.m. in the Government Center Board Room 201, for request to vacate a portion of New York Avenue between Wellington Street and Park Place. (VAC 09-02, LaLiberte)

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

**7<sup>TH</sup> ORDER**

**ORDINANCES**

27. **O09-3690** Ordinance introduced by City Attorney Prell amending City Code Chapter 106, Streets and Sidewalks, Section 106-8, Unauthorized encroachments on public ways to constitute a nuisance.  
**MOTION by Councilor Dalbec, seconded by Bridge and carried, to adopt the ordinance.**
28. **O09-3691** Ordinance introduced by the Common Council amending City Code Chapter 112, Traffic Code, Schedule K, Disabled – Do Not Block Sidewalk by *adding*:  
1818 John Avenue.  
**MOTION by Councilor Finsland, seconded by Dalbec and carried, to adopt the ordinance.**
29. **O09-3692** Ordinance introduced by the Public Works Committee amending the City Code Chapter 112, Traffic Code, Article VII, Schedule E, No Parking in Designated Spaces by *adding*:  
1802 Ogden Avenue (each side of driveway entrance).  
**MOTION by Councilor Finsland, seconded by Bender and carried, to adopt the ordinance.**
30. **O09-3693** Ordinance introduced by the Public Works Committee amending the City Code Chapter 112 Traffic Code, Article VII, Schedule E, No Parking in Designated Spaces by *adding*:  
513 Cumming Avenue (each side of sidewalk entrance for length of car).  
**MOTION by Councilor Anderson, seconded by Dalbec and carried, to adopt the ordinance.**
31. **O09-3694** Ordinance introduced by the Public Works Committee amending the City Code Chapter 112 Traffic Code, Article VII, Schedule H, No Parking on School Days between 7:00 a.m. and 4:00 p.m. Section 2, School Bus Parking Zones, by *deleting*:  
Jefferson Learning Center, 1514 Ogden Avenue.  
**MOTION by Councilor Hendry, seconded by Bender and carried, to adopt the ordinance.**
- MOTION by Councilor Finsland seconded by Dalbec and carried, to adjourn meeting at 6:58 p.m.**

Respectfully submitted,  
Terri Kalan, City Clerk  
Superior, Wisconsin

Approved this 19<sup>th</sup> day of May, 2009.

Attest:

\_\_\_\_\_  
Mayor Ross

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City Clerk