

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING  
SUPERIOR, WISCONSIN  
Tuesday, May 2, 2017**

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

**1. PLEDGE OF ALLEGIANCE**

- 2. ROLL CALL** Dan Olson, Jenny Van Sickle, Warren Bender, Jack Sweeney, Keith Kern, Graham Garfield, Ruth Ludwig, Craig Sutherland, Brent Fennessey, Esther Dalbec – 10  
Youth Councilors: Madison Hale, Adam Lavine  
Also Present: Mayor Paine, City Attorney Prell, City Clerk Kalan

**3. PROCLAMATIONS AND COMMENDATIONS**

- 4. APPROVAL OF MINUTES** April 18, 2017 - Regular Council meeting  
**MOTION by Councilor Dalbec, seconded by Fennessey and carried, to approve.**

**5. PUBLIC HEARINGS**

- 5.1 R17-13339** Resolution introduced by the Department of Planning and Development to vacate all remaining platted streets and alleys located within the BOA established boundary of the airport.

No one spoke in favor of or opposition to.

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

- 5.2** Consolidated Annual Performance and Evaluation Report (CAPER) for 2016.

No one spoke in favor of or opposition to; no action required.

**6. CONSENT AGENDA**

**MOTION by Councilor Bender, seconded by Dalbec and carried, to separate items #6.9, 6.10 and 6.11 and approve the remainder of the Consent Agenda.**

**Communications and Reports Received and Filed:**

**6.1** Duluth-Superior MIC Policy Board, March 22, 2017.

**6.2** Mayor's Commission on Disabilities, March 20, 2017.

**Matters Referred:**

Liability Claims Committee

**6.3** Claim #17-06, Valerie Johnsen

Plan Commission

- 6.4 Language change for accessory building standards in rear yards.
- 6.5 Definition and language change for sign exempted.

Public Works Committee

- 6.6 Permit Parking hours on Faxon Avenue (around the 800 block).
- 6.7 Landlord concerns regarding permit parking.
- 6.8 Request from Enbridge Inc. to purchase 4.1 credits from the City of Superior Compensatory Wetland Mitigation Bank.

**Standing Committee Reports Approved:**

- 6.9 **Human Resources Committee, April 17, 2017** *recommendations for approval*
  - 7) Receive and file monthly personnel reports for February and March, 2017.**MOTION by Councilor Fennessey, seconded by Bender and carried, to approve.**
- 6.10 **Plan Commission, April 19, 2017** *recommendations for approval*
  - 1) To approve Broadway Properties' Request to Vacate John Avenue, north of Broadway Street.
  - 2) To approve requests from Bill Anderson, authorized agent for Phil Fernjack, to submit a certified survey map for 3 Billings Court.**MOTION by Councilor Dalbec, seconded by Ludwig and carried, to approve.**

**Licenses Approved:**

- 6.11 Approve miscellaneous licenses.  
**MOTION by Councilor Garfield, seconded by Ludwig and carried, to approve.**

**7. BUSINESS BY DEPARTMENT HEADS**

- 7.1 Parks, Recreation & Forestry Director Cadotte requesting waiver of the Pesticide Ordinance, Sec 62-17, to allow a targeted herbicide treatment on city trails, tennis courts, baseball fields, and basketball courts.  
**MOTION by Councilor Bender, seconded by Fennessey and carried, to approve.**
- 7.2 Parks, Recreation & Forestry Director Cadotte requesting approval of the purchase and installation of 200 safety ladders for the Barker's Island Marina in the amount of \$34,536.00.  
Eric Thomas, Sailboats Inc., briefly discussed the current safety concerns, as well as the instillation and cost of ladders.  
**MOTION by Councilor Garfield, seconded by Bender and carried, to approve.**

**7.3** Public Works Director Janigo requesting approval of Sailboat's Inc. use of city property to place directional signs in the city right of way.

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

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

Mayor Paine noted changes to the agenda that the council will see, as well as changes to the referral process.

## **9. BUSINESS BY COUNCILORS**

**9.1** Council President Olson and Council Vice President Kern submitting 2017-2018 committee appointments.

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

Councilor Fennessey expressed his concern over the allegations against Councilor Garfield, and stated that he supports Mayor Paine's request for Councilor Garfield step down from office.

## **10. RESOLUTIONS**

**10.1 R17-13340** Resolution introduced by the Plan Commission setting a public hearing on June 20<sup>th</sup>, 2017, at 6:30 p.m. in room 201 of the Government Center to vacate a portion of John Avenue located north of Broadway Street.

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

## **11. ORDINANCES**

## **12. BUSINESS BY PUBLIC**

Laura Gapske, 1913 E 7<sup>th</sup> Street, Pete MacGinnis, 1306 John Avenue, and Kym Young, C6 Aspen Court, spoke in favor of the resignation of Councilor Garfield.

Joe Stensland, 706 Cumming Avenue, encouraged the council and citizens to not lose sight of the new energy and opportunity that is before the community, regardless of what obstacles lie ahead.

**MOTION by Councilor Bender, seconded by Olson and carried, to adjourn meeting at 6:57 p.m.**

Respectfully submitted,  
Terri Kalan, City Clerk  
Superior, Wisconsin

Approved this 16<sup>th</sup> day of May, 2017.

Attest:

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Mayor

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City Clerk