

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING  
SUPERIOR, WISCONSIN  
Tuesday, June 15, 2021**

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**

Present: Nick Ledin, Jenny Van Sickle, Warren Bender, Jack Sweeney, Brent Fennessey, Tylor Elm, Ruth Ludwig, Craig Sutherland, Keith Kern, Lindsey Graskey – 10

Excused:

Also Present: Mayor Paine, City Attorney Prell, City Clerk Kalan

**3. APPROVAL OF MINUTES June 1, 2021 - Regular Council Meeting.**

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

**4. PRESENTATIONS AND PUBLIC HEARINGS**

**4.1 Public Hearing to consider non-renewal of the applicants in Part 2 of the 2021-2022 Alcohol Report.**

	<b>Corp Name</b>	<b>Trade Name</b>	<b>Address</b>	<b>Delinquent</b>
a	IKIS Inc.	Izzy's BBQ Lounge	1506 N 3 <sup>rd</sup> Street	Personal Property
b	KD's Family Restaurants, LLC	KD's Itasca Bay	4927 E 2 <sup>nd</sup> Street	Personal Property
c	Jack & Edna's Tavern, Inc.	Pizza Man	1602 Tower Avenue	Personal Property

City Clerk Kalan informed the council that all 3 listed corporations were now back in compliance and recommended approving alcohol licenses.

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

**4.2 Public Hearing to consider non-renewal of the Class B Liquor and Beer license for Lady Vi Enterprises Inc, Trade name: Lady Vi's, Agent: ViAnn Rask, 628 Tower Avenue.**

City Attorney Prell distributed and presented an agreement which he had drawn up, in collaboration with the Police Department and Lady Vi's owners and attorney.

Councilor Sutherland asked why the council had not seen the agreement before the meeting, and Councilor Elm asked for a 15-minute recess to allow for the councilors to read the agreement in full.

**MOTION by Councilor Elm, seconded by Councilor Bender, to take an immediate recess failed.**

After Attorney Prell answered the council's preliminary questions, Mayor Paine excused the council for a 15-minute recess.

Upon reconvening, Mayor Paine clarified that the establishment is currently closed and that the contract's terms must be met by September 1 before they may reopen on September 11. The terms, which could not be amended due to the June 15 deadline set by state statute, included background checks and Anti-Human Trafficking training for all employees (excluding dancers).

Councilor Fennessey said that the agreement was allowing the city to "baby-sit" an alcohol licensee.

Councilor Van Sickle was concerned that the after-shift litter clean-up clause of the agreement might inadvertently put the establishment's employees at risk.

**MOTION by Councilor Bender, seconded by Councilor Van Sickle, to approve the agreement.**

**AYE – 8 Ledin, Van Sickle, Bender, Sweeney, Elm, Ludwig, Kern, Graskey.**

**NO – 2 Fennessey, Sutherland.**

## **5. CORRESPONDENCE TO BE FILED (No action)**

## **6. MAYOR'S REPORT**

### **6.1 The Mayor's Report.**

- 1) Preliminary questions for Fire Chief Gordon regarding budget initiatives.

Fire Chief Gordon discussed the benefits of purchasing a new water craft and reopening a fourth fire station, which was eliminated in the early 1980s, and fielded questions about the Fire Department's mutual aid responsibilities.

## **7. STANDING COMMITTEE REPORTS**

### **7.1 Public Works Committee, June 3, 2021**

Report from the Chair.

- 1) To approve giving the Director of Parks, Recreation & Forestry the ability to open or close 42<sup>nd</sup> Street in the Superior Municipal Forest due to road conditions instead of a set time.
- 2) To approve the purchase of a John Deere Backhoe/Loader.

- 3) To approve the Sidewalk Elimination Request at 6301 Banks Avenue.
- 4) To approve the Sidewalk Elimination Request at 1103 N 22<sup>nd</sup> Avenue.
- 5) To approve changing the language regarding Disabled Parking Ordinances and Request Forms.

Councilor Kern also reminded residents that the new garbage pick-up schedule will be starting on August 2, 2021.

**MOTION by Councilor Van Sickle, seconded by Councilor Ludwig, and carried, to approve.**

## 8. SPECIAL COMMITTEE REPORTS

### 8.1 Redevelopment Authority, June 9, 2021

Report from the Chair.

- 1) To approve Resolution of the Redevelopment Authority of the City of Superior, Wisconsin, approving a Cooperation Agreement with the City of Superior, Wisconsin and Approving a Development Agreement with P & R Plumbing and Heating, Inc., P & R Properties twin Ports, LLC and Bardon Apartments LLC.

**MOTION by Councilor Kern, seconded by Councilor Fennessey and carried, to approve the resolution.**

## 9. OLD BUSINESS

## 10. NEW BUSINESS

### 10.1 City Clerk Kalan recommending approval of miscellaneous licenses.

**MOTION by Councilor Elm, seconded by Councilor Kern, and carried, to approve.**

### 10.2 City Clerk Kalan recommending approval of **ORDINANCE #O21-4238** amending Section 46-6 (c) of The City Code of Ordinances of the City of Superior, Wisconsin, relocating Wards 17 – 19 (6<sup>th</sup> Aldermanic District) and Wards 30 – 32 (10<sup>th</sup> Aldermanic District) Polling Place.

City Clerk clarified that voters who previously voted at the Salvation Army will now vote in the Government Center Atrium.

**MOTION by Councilor Elm, seconded by Councilor Graskey, and carried, to approve the ordinance.**

### 10.3 **RESOLUTION #R21-13560** of the City of Superior, Wisconsin, approving the project plan, establishing district boundaries and making relevant findings to the creation of Tax Incremental District No. 16.

Sean Lentz, Ehlers Senior Municipal Advisor, gave a brief presentation on Tax Increment Financing, and the 2 districts up for approval.

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

**10.4 RESOLUTION #R21-13561** of the City of Superior, Wisconsin, approving the project plan, establishing district boundaries and making relevant findings to the creation of Tax Incremental District No. 17.

**MOTION by Councilor Kern, seconded by Councilor Sutherland, and carried, to adopt the resolution.**

**10.5 RESOLUTION #R21-13562** of the City of Superior, Wisconsin, approving the report of the Redevelopment Authority of the City of Superior and a Cooperation Agreement with the Redevelopment Authority of the City of Superior, Wisconsin, in connection with the Bardon Apartments Project.

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

**10.6 RESOLUTION #R21-13563** of the City of Superior, Wisconsin, providing for contribution payments by the city in connection with Tax Increment Grants in the maximum amount of \$1,900,000 in connection with the Bardon Apartments LLC Project and approving related documents and transactions.

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

**10.7 RESOLUTION #R21-13564** providing for the issuance and sale of General Obligation Refunding Bonds, Series 2021B, of the City of Superior, Wisconsin.

**MOTION by Councilor Elm, seconded by Councilor Kern, and carried, to adopt the resolution.**

**Meeting adjourned at 8:15 p.m.**

Respectfully submitted,  
Terri Kalan, City Clerk  
Superior, Wisconsin

Approved this 6<sup>th</sup> day of July, 2021.

Attest:

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Mayor

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City Clerk