

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday, October 2, 2018**

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: Jenny Van Sickle, Warren Bender, Jack Sweeney, Keith Kern (via telephone), Tylor Elm, Ruth Ludwig, Craig Sutherland, Brent Fennessey, Esther Dalbec – 9

Excused: Dan Olson – 1

Youth Councilors: Adam Lavine, Jeffrey Newman, Teagan Radtke, Paige Lach

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

3. PROCLAMATIONS AND COMMENDATIONS

4. APPROVAL OF MINUTES September 18, 2018 - Regular Council meeting and September 25, 2018 Special Council meeting.

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

5. PUBLIC HEARINGS

6. CONSENT AGENDA

MOTION by Councilor Bender, seconded by Sutherland and carried, to approve the Consent Agenda.

Communications and Reports Received and Filed:

6.1 Mayor's Commission on Communities of Color minutes, June 11, 2018.

6.2 Liability Claims Committee minutes, August 16, 2018.

7. STANDING COMMITTEE RECOMMENDATIONS FOR APPROVAL

7.1 Finance Committee, September 13, 2018

2) To receive and file the request to increase funding to the Billings Park Civic Association from \$3,000 to \$10,000 per year until further review can be done.

3) To hold in committee the change and restructure to the garbage collection and disposal fees, until October so additional garbage fee and volume information can be gathered and reviewed.

4) To receive and file the August 2018 check register.

- 5) To receive and file the Financial Statements – 2018 Expenditure vs. Budget Analysis.

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

7.2 Human Resources Committee, September 17, 2018

- 2) a. To approve the revised Safety Eyewear Program #20.06g.
b. To approve the revised Non-Union Salary & Benefits Policy (Handbook), Section 15-Paid Time Off.
c. To approve the revised Non-Union Salary & Benefits Policy (Handbook), Section 16-Benefits for Other Than Regular Full-time Employees (add paid time off benefit for regular part-time employees budgeted less than half time).
- 6) To receive and file the Monthly Personnel Report for August 2018.

MOTION by Councilor Ludwig, seconded by Sutherland and carried, to approve.

7.3 Plan Commission, September 19, 2018

- 1) To approve an ordinance amending City Code Chapter 122, Zoning, Article V. Special Uses, allowing coworking office spaces in R3 – Apartment Residential Districts.
- 2) To approve an ordinance amending City Code Chapter 122, Zoning, Article V. Special Uses, allowing assembly based light manufacturing in a C2 – Highway Commercial District.
- 3) To approve the request by Stack Trust on behalf of Ravin Crossbows for a special use permit to operate assembly based light manufacturing in a C2 – Highway Commercial District.
- 4) To receive and file the discussion on buffers and landscaping, specifically screening requirements for trash dumpsters and receptacles.
- 6) To approve Robert Paine’s request to vacate portions of Water Street and 36th Avenue East.

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

7.4 Public Safety Committee, September 19, 2018

- 1) To approve the ordinance, Decriminalization of Small Amounts of Marijuana.

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

7.5 Public Works Committee, September 19, 2018

- 2) To table Councilor Kern’s residents’ request for sidewalk elimination on Lackawanna Avenue, North 22nd – 23rd Street.
- 7) To approve reducing the speed limit on 42nd Avenue East (from East 18th Street to the City limits and beginning of County Highway A) to 35 miles per hour, its original form.
- 4) To approve the purchase of three 2020 Freightliner 114SD cab & chassis and three Universal Dump Box Sander Bodies, Plows and Wings.

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

8. BUSINESS BY DEPARTMENT HEADS

City Clerk Kalan

- 8.1** Recommending approval of miscellaneous licenses.
MOTION by Councilor Dalbec, seconded by Ludwig and carried, to approve.
- 8.2** Recommending approval of an original application for a Class B Liquor & Beer license by Musl, Inc., Trade Name: Average Joe's Pub and Grub, 1313 N 5th Street, Agent: Regina Morris Fondness, for the remainder of the license period, expiring June 30, 2019.
MOTION by Councilor Dalbec, seconded by Bender and carried, to approve.
- 8.3** Recommending approval of application by Kwik Trip #171, 918 Belknap Street, to appoint Kayla M. Capuzzi as Agent for the remainder of the license period, expiring June 30, 2019.
MOTION by Councilor Bender, seconded by Ludwig and carried, to approve.

Fire Chief Panger

- 8.4** Recommending approval to waive the bidding requirements for the purchase of firefighter turnout gear from Jefferson Fire and Safety for a total price of \$90,450 after reaching a settlement with Husky Energy in the amount of \$106,591.68 due to damaged gear during the fire.
MOTION by Councilor Dalbec, seconded by Fennessey and carried, to approve.

Public Works Director Janigo

- 8.5** Recommending approval to waive the bidding requirements for the purchase of three 2020 Freightliner 114SD cab & chassis through the Minnesota Net State Bid to be purchased from Boyer Trucks for a total cost of \$346,170.00; and three Universal Dump Box Sander Bodies, Plows and Wings through the National Joint Powers Alliance to be purchased from Monroe Equipment for a total cost of \$398,565.00.
MOTION by Councilor Elm, seconded by Dalbec and carried, to approve.

Parks, Recreation and Forestry Director Cadotte

- 8.6** Recommending approval to waive the Pesticide Ordinance which restricts the use of pesticides on city lands, to allow a targeted herbicide treatment for invasive Japanese knotweed on city property, adjacent private property (with property owners permission), and the City boat launch on 21st Street in Billings Park using the methods outlined in the communication, as well as future treatments as reports are made using the same methods until eradicated.
MOTION by Councilor Ludwig, seconded by Fennessey and carried, to approve.

9. BUSINESS BY THE MAYOR

9.1 Appoint Jeff Longnecker to the Civil Service Commission with term expiring July, 2021.

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

9.2 Appoint to the Historic Preservation Committee: Tim Meyer (Registered Architect) for a 3 year term, expiring September, 2021; Teddie Meronek (Historian) for a 2 year term, expiring September, 2020; Brian Finstad (Plan Commission Member) for a 3 year term, expiring September, 2021; Matt Osterlund (Citizen) for a 2 year term, expiring September, 2020; and Tom Wondolkowski (Citizen), for a 1 year term, expiring September, 2019.

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

10. BUSINESS BY COUNCILORS

10.1 Youth Councilor Lavine gave brief update on happenings at the High School and Homecoming week festivities.

11. RESOLUTIONS

11.1 **R18-13404** Resolution introduced by the City Plan Commission authorizing a Special Use Permit for a coworking office space at 1204 Hammond Avenue, Superior, Wisconsin.

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

11.2 **R18-13405** Resolution introduced by the City Plan Commission authorizing a Special Use Permit for Assembly Based Light Manufacturing at 3535 Tower Avenue, Superior, Wisconsin.

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

11.3 **R18-13406** Resolution introduced by the Plan Commission setting a public hearing on November 20th, 2018, in the Government Center Board Room 201, to vacate portion of Water Street and 36th Avenue East.

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

12. ORDINANCES

12.1 **O18-4091** Ordinance introduced by the Public Works Committee amending the City Code, Chapter 112, Traffic Code, Article VII, Schedule O, Speed Limits, by adding 35

Miles Per Hour on 42nd Avenue East – between East 18th Street and the city limits at the beginning of County Highway A, and deleting 45 Miles Per Hour on 42nd Avenue East - between East 18th Street and Woodlawn Avenue.

MOTION by Councilor Van Sickle, seconded by Sutherland and carried, to adopt the ordinance.

12.2 O18-4092 Ordinance introduced by the Department of Planning and Development to amend the City Code, Chapter 122, Zoning, Article V., Special Uses.

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

12.3 O18-4093 Ordinance introduced by the Common Council of the City of Superior amending City Code, Chapter 112 – Traffic Code, Schedule J, Disabled Parking Zones, by adding 1312 Cumming Avenue (both sides).

MOTION by Councilor Elm, seconded by Ludwig and carried, to adopt the ordinance.

12.4 O18-4094 Ordinance introduced by the Public Safety Committee of the City of Superior amending City Code Chapter 86 by creating 86-17.1, Possession of Marijuana.

MOTION by Councilor Sutherland, seconded by Dalbec and carried, to adopt the ordinance.

13. BUSINESS BY PUBLIC

Meeting adjourned at 6:45 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 16th day of October, 2018.

Attest:

Mayor

City Clerk