

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Wednesday, April 6, 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 - Tom Fennessey, Warren Bender, Graham Garfield, Bob Finsland, Mike Herrick, Dennis Dalbec, Esther Dalbec - 7

Excused: Dan Olson, Jack Sweeney, Denise McDonald - 3

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

3. PROCLAMATIONS AND COMMENDATIONS

4. APPROVAL OF MINUTES - March 15, 2016 - Regular Council meeting.

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

5. PUBLIC HEARINGS

5.1 R16-13283 Resolution introduced by the Planning Department to amend the 2016 Community Development Block Grant (CDBG) Action Plan.

Warren Bender, Secretary, CASDA, asked that amounts possibly be reviewed, and rounded up. Serck noted that because of required percentages and deadlines, it would be difficult to adjust amounts at this time.

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

6. CONSENT AGENDA

MOTION by Councilor Finsland, seconded by D. Dalbec and carried, to approve the Consent Agenda.

Communications and Reports Received and Filed:

6.1 Mayor's Commission on Disabilities, October 19, 2015.

Matters Referred:

Finance Committee:

6.2 Parks & Recreation Director requesting discussion regarding the return of the Iceman in 2017.

Public Safety Committee

6.3 Police Chief Alexander requesting discussion regarding Body Worn Cameras.

Standing Committee Reports Approved:

6.4 Finance Committee, March 10, 2016 *recommendations for approval*

- 3) To receive and file the Police Department overtime overage in 2015.
- 4) To hold in committee the discussion of \$283,375 easement compensation received from Enbridge.
- 5) a) To hold in committee the discussion of the Finance Officer's role in Fiscal Sustainability.
b) To hold in committee the discussion of Establishing Government Charges and Fees.
- 6) To receive and file check register, Period 14, 2015 and Period 1, 2016.
- 7) To receive and file the General Fund Financial Statements – Updated 2015 Statement of Revenues and Expenditures and Balance Sheet and 2016 Statement of Revenues and Expenditures.
- 8) To receive and file the General Finance Overview.

6.5 Human Resources Committee, March 28, 2016 *recommendations for approval*

- 1) To approve Non-Union Salary & Benefits Policy by adding language to note ability for fill-in Working Foreman to be paid WF rate for time off; Change Sergeant & Lieutenant uniform allowance to mirror new union language; Update boot allowance position list; and make corrections to reflect current practice.
- 3) To receive and file monthly personnel report for February 2016.

6.6 Plan Commission, March 16, 2016 *recommendations for approval*

- 1) To approve Kwik Trip's request to vacate a portion of the east-west alley located in the vicinity of Banks Avenue and Central.
- 2) To approve Kwik Trip's request to rezone properties in the vicinity of Banks Avenue and Central from R1B, One-Family Residential District to C2, Highway Commercial District.

6.7 Public Works Committee, March 16, 2016 *recommendations for approval*

- 1) To hold in Committee Councilor D. Dalbec's request for installation of pedestrian lighting along Wyoming Avenue between Wellington and North 28th Streets.
- 2) To hold in Committee councilor Bender's request to revise Chapter 58 – Garbage and Trash, revising pricing for small and large residential premises.
- 3) To approve the purchase of one 2016 Falcon 4-ton tandem axle pothole patch trailer, under Minnesota contract price of \$36,678.
- 4) To receive and file the ESD Director's report.
- 5) To receive and file the Public Works Director's report.

Licenses Approved (contingent upon final approvals):

6.8 Approve miscellaneous licenses.

6.9 Class B Liquor & Beer application by Superior Restaurant Company, LLC, Trade Name: EPIC Restaurant & Lounge, Agent – Mark Casper, 3223 Tower Avenue, for license period ending June 30, 2016.

6.10 Class B Liquor & Beer application by Dawn E Johnson, Trade Name: Heritage Bar, 1310-1312 Tower Avenue, for license period ending June 30, 2016.

7. BUSINESS BY DEPARTMENT HEADS

7.1 Finance Director Vito requesting approval of the 2015 and 2016 Police Department budget adjustments.

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

7.2 Planning Director Serck recommending procedures be waived for city-owned property located at both 710 Weeks Avenue and 1001 North 7th Street and that pertinent City staff be allowed to execute the transfer by respective deeds immediately before each project is commenced to Western Lake Superior Habitat for Humanity at no cost.

David Clanaugh, Western Lake Superior Habitat for Humanity, gave presentation on work that has been done, and discussed their plans for the future.

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

7.3 Public Library Director Heskin on behalf of the Library Board request Council waive City Code Section 62.18 restricting the use of pesticides for a one-time application to the entire turf of the Library including Center City Park.

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

Environmental Services Director Roberts requesting to:

7.4 Award Hill Avenue Viaduct and Faxon Creek Culvert Replacement project to Stack Brothers Mechanical Contractors for \$727,171.15.

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

7.5 Award Construction Observation Services of the Hill Avenue Viaduct and Faxon Creek Culvert Replacement Project to Donohue & Associates for \$46,372.

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

7.6 Award Lift Station #5 Forcemain Replacement to Hanco Utilities for \$157,621.

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

7.7 Award bid for Final Clarifier Effluent Piping Project to MZ Construction, Linden, WI, for bid amount of 289,000.

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

7.8 Award bid for the Environmental Services Division for Office Reconfiguration to JR Jensen Construction Company, Superior, WI, for bid amount of \$210,375.

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

Public Works Director Janigo

- 7.9 Requesting to waive the bid requirements for the purchase of one (1) 2016 Falcon 4-Ton Tandem Axle Pothole Patch Trailer unit from Falcon Road Maintenance Equipment via the Minnesota Net State Bid contract price of \$36,678.00.

MOTION by Councilor E. Dalbec, seconded by D. Dalbec and carried, to approve.

- 7.10 Recommending approval of a Professional Engineering Services Agreement with SEH, Inc.
MOTION by Councilor E. Dalbec, seconded by D. Dalbec and carried, to approve.

- 7.11 Recommending approval of Enbridge's easement requests as outlined in memo.

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

8. BUSINESS BY THE MAYOR

- 8.1 Mayor Hagen reappointing Kalee Hermanson to the Plan Commission for a term expiring December 2018; reappointing David O'Kash to the Mayor's Commission on Disabilities for a term expiring January 2019; and appointing Brittney Berrens Markgren to the Parks & Recreation Commission for a term expiring April 2019.

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

9. BUSINESS BY COUNCILORS

10. RESOLUTIONS

- 10.1 **R16-13284** Resolution setting a public hearing May 17, 2016, at 6:30 p.m. in Room 201 of the Government Center to rezone properties located in the vicinity of Banks Avenue and Central from R1B, One-Family Residential District to C2, Highway Commercial District.

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

- 10.2 **R16-13285** Resolution setting a public hearing May 17, 2016, at 6:30 p.m. in Room 201 of the Government Center to vacate a portion of the east-west alley in the vicinity of Banks Avenue and Central.

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

- 10.3 **R16-13286** Initial Resolution of the City of Superior, Wisconsin Relating to the Issuance of General Obligation Bonds in an Amount Not to Exceed \$1,525,000 for the 2016 Street Improvement Program.

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

- 10.4 R16-13287** Initial Resolution of the City of Superior, Wisconsin Relating to the Issuance of General Obligation Bonds in an Amount Not to Exceed \$455,000 for Superior Public Library Improvements.
MOTION by Councilor Herrick, seconded by D. Dalbec and carried, to adopt the resolution.
- 10.5 R16-13288** Initial Resolution of the City of Superior, Wisconsin Relating to the Issuance of General Obligation Bonds in an Amount Not to Exceed \$145,000 for Park Improvements.
MOTION by Councilor Finsland, seconded by D. Dalbec and carried, to adopt the resolution.
- 10.6 R16-13289** Resolution of the City of Superior, Wisconsin Providing for the Issuance and Sale of General Obligation Corporate Purpose Bonds.
MOTION by Councilor Finsland, seconded by Garfield and carried, to adopt the resolution.
- 10.7 R16-13290** Resolution Providing for the Sale of \$2,125,000 General Obligation Corporate Purpose Bonds, Series 2016A.
MOTION by Councilor Dalbec, seconded by Bender and carried, to adopt the resolution.
- 10.8 R16-13291** Resolution Providing for the Sale of \$785,000 General Obligation Promissory Notes, Series 2016B.
MOTION by Councilor Finsland, seconded by Garfield and carried, to adopt the resolution.
- 10.9 R16-13292** Resolution introduced by Enbridge Energy, Limited Partnership Authorizing a Water Pipeline.
MOTION by Councilor E. Dalbec, seconded by Finsland and carried, to adopt the resolution.

11. ORDINANCES

12. BUSINESS BY PUBLIC

Tom Wondolkowski, Library Foundation, invited Councilors for tea at the Superior Public Library on April 14, 2016, to discuss plans for the future of the library.

MOTION by Councilor Finsland, seconded by Dalbec and carried, to adjourn meeting at 7:08 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 19th day of April, 2016.

Attest:

Mayor

City Clerk