

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
Tuesday, November 18, 2008**

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

ROLL CALL

Council Members Present: Tom Bridge, Warren Bender, Jackie Stenberg, Ed Anderson, Chuck Hendry, Bob Finsland, Nick Milroy, Mick MacKenzie, Esther Dalbec – 9

Council Member Excused: Dan Olson - 1

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.

PROCLAMATIONS AND COMMENDATIONS

Mayor Ross presented a plaque with gratitude for Code Compliance Officer Dan Hawkin, who is retiring after 11 plus years with the City of Superior.

APPROVAL OF MINUTES

MOTION by Councilor Bender seconded by Dalbec and carried, to approve the minutes of the November 5, 2008, Regular Council Meeting.

2ND ORDER

CONSENT AGENDA

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

COMMUNICATIONS AND REPORTS RECEIVED AND FILED:

State of Wisconsin

Department of Natural Resources:

1. Public Notice of an Air Pollution Permit Application for General Mills, 2205 Winter Street;
2. Public Notice of an Air Pollution Permit Application for CHS, Inc. 41 Dock Street.

Department of Revenue:

3. Notice of Limit to Qualify for a 2010 Expenditure Restraint Payment; and
4. November Distribution of 2008 Shared Revenues and Expenditure Restraint.

5. Governor Doyle advising of the following Homeland Security Grants:
 - a) \$1,813 to help cover costs associated with Regional Emergency All-Climate Training.
 - b) \$26,000 to enhance Fire Department's emergency response watercraft capabilities; and
 - c) \$3,519 to allow task force members to attend Dive Secure 1 certification training.

City of Superior

6. Assistant Public Works Director Goetzman advising of emergency culvert repair on Moccasin Mike Road.

City of Superior Minutes/Reports

7. Mayor's Commission on Disabilities September 15, 2008 meeting minutes.
8. Superior Public Library, October 8, 2008.

Miscellaneous Communications and Reports

9. Charter Communications advising of changes to HD pricing and packaging; and
10. Advising of addition of more Turner Network Channels.

MATTERS REFERRED TO:

Finance Committee

11. All Checks Register October 1 – 31, 2008.

6th Order – Resolutions

Finance Director Vito submitting:

12. Resolution approving Execution of an Irrevocable Escrow Agreement in Connection with Establishment of the Wetland Mitigation Bank.
13. Resolution appropriating necessary funds for the operation of the General City Government and Administration of the City of Superior for the year 2009 and authorizing and directing a tax levy to be spread on the tax roll for the year 2008.

Planning Director Serck submitting:

14. Resolution authorizing the Transfer of Property Located at 405 John Avenue to the Redevelopment Authority of the City of Superior (Portable Bore Repair & Welding, Inc.); and
15. Resolution Dissolving Tax Incremental District Number Ten.

STANDING COMMITTEE REPORTS APPROVED:

16. Finance Committee Meeting, November 5, 2008

To recommend the bid for collection of recycling be awarded to Hartel's/DBJ Disposal.

LICENSES APPROVED:

City Clerk Kalan submitting:

17. Miscellaneous licenses.

3RD ORDER

BUSINESS BY DEPARTMENT HEADS

18. **City Attorney Prell** submitting Memorandum of Understanding between City of Superior and Douglas County to clarify ownership and maintenance of Government Center walking, driving and parking services.

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

19. **Development and Government Affairs Director Vito** requesting authorization for the proper City Officials to sign the Mitigation Banking Instrument, Escrow Agreement, and Conservation Easement. *(Submitted at the November 5, 2008, Council Meeting)*

MOTION by Councilor Anderson seconded by Finsland and carried, to approve.

20. **Community Development Manager Young** submitting Weatherization HVAC/Water Heaters – Materials and Installation bid award.

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

21. **Assistant Public Works Director Goetzman** submitting bid awards:

Recycling Collection Program 2009 – 2013 to Hartel/DBJ Disposal, Proctor, MN, for low bid of \$1,905,945.00 (total cost for five years – carts).

Torre Highland, Waste Management, thanked the City for doing business with them for the last 14 years.

Councilors MacKenzie and Bender questioned if it was the right decision to change from the bins to carts, and believed the City should continue with the bins until a higher number of citizens are recycling.

Councilors Bridge and Anderson felt the bid should be approved as presented, as it is based on an analysis done by City Engineers and reviewed by the Finance Committee.

MOTION by Councilor Bender, seconded by Hendry to refer back to the Finance Committee, failed by roll call vote:

Aye - Bender, Hendry, Finsland, MacKenzie - 4

No - Bridge, Stenberg, Anderson, Milroy, Dalbec – 5

MOTION by Councilor Anderson seconded by Bridge and carried, to approve awarding the bid to Hartel/DBJ Disposal, failed by roll call vote:

Aye - Bridge, Stenberg, Anderson, Milroy, Dalbec – 5

No - Bender, Hendry, Finsland, MacKenzie - 4

MOTION by Councilor Finsland, seconded by Bender to award the bid to Nordic Waste, low bidder for existing bins, failed by roll call vote:

Aye - Bender, Hendry, Finsland, MacKenzie - 4

No - Bridge, Stenberg, Anderson, Milroy, Dalbec – 5

MOTION by Councilor Anderson, seconded by Bridge, and carried, to hold awarding the bid until the December 2, 2008 Regular Council meeting.

22. Tire Recovery contract for January 1, 2009 through December 31, 2010 to Liberty Tires Services of Ohio LLC (previously GreenMan Technologies) for \$120.00/ton.
MOTION by Councilor Dalbec seconded by Bender and carried, to approve.
23. Requesting authorization to enter into a project agreement with WisDOT for the 2009 Safe Routes to School (SRTS) program to allow the City to obtain and utilize Federal transportation funds for constructing the project in 2009.
MOTION by Councilor MacKenzie seconded by Bender and carried, to approve.

6TH ORDER

RESOLUTIONS

24. **R08-12846** Resolution of the Common Council of the City of Superior, Wisconsin Approving Execution of a Irrevocable Escrow Agreement in Connection with Establishment of the Wetland Mitigation Bank.
MOTION by Councilor Stenberg seconded by Bender and carried, to adopt the resolution.
25. **R08-12847** Resolution of the Common Council of the City of Superior, Wisconsin, Authorizing the Transfer of Property Located at 405 John Avenue to the Redevelopment Authority of the City of Superior (Portable Bore Repair & Welding, Inc.).
MOTION by Councilor Dalbec seconded by MacKenzie and carried, to adopt the resolution.
26. **R08-12848** Resolution of the Common Council of the City of Superior, Wisconsin Dissolving Tax Incremental District Number Ten.
MOTION by Councilor Dalbec seconded by Stenberg and carried, to adopt the resolution.
27. **R08-12849** Resolution of the Common Council of the City of Superior, Wisconsin, adopting the tax levy.
MOTION by Councilor Bridge seconded by Bender and carried, to adopt the resolution.

7TH ORDER

ORDINANCES

28. **O08-3677** Ordinance introduced Development and Government Affairs Director Vito deleting and recreating Article X, Special Area Management Plan of Chapter 122, Zoning, of the City of Superior Code of Ordinances.
MOTION by Councilor Anderson seconded by Bender and carried, to adopt the ordinance.

8TH ORDER

BUSINESS BY PUBLIC

Jeff Monaghan, 1213 Tower Avenue.

MOTION by Councilor Bridge seconded by Dalbec and carried, meeting adjourned at 7:20 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 2nd day of December, 2008.

Attest:

Mayor Ross

City Clerk