

**PROCEEDINGS OF THE REGULAR COMMON COUNCIL MEETING
SUPERIOR, WISCONSIN
May 21, 2013**

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

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL Dan Olson, Tom Fennessey, Warren Bender, Jack Sweeney, Denise McDonald, Terry Massoglia, Bob Finsland, Mike Herrick, Mick MacKenzie, Bob Browne – 10

Excused: Mayor Hagen

Youth Councilors: Mike Nowicki, August Cadotte

Also Present: City Attorney Prell, City Clerk Kalan

3. PROCLAMATIONS AND COMMENDATIONS

4. APPROVAL OF MINUTES – May 7, 2013 - Regular Council meeting.

MOTION by Councilor Herrick, seconded by McDonald and carried, to approve.

5. PUBLIC HEARINGS

6. CONSENT AGENDA

MOTION by Councilor Finsland, seconded by Fennessey and carried, to separate item #6.7 2) and approve the remainder of the Consent Agenda.

Communications and Reports Received and Filed:

6.1 All checks register for April, 2013.

6.2 Duluth Superior Metropolitan Interstate Council, April 17, 2013, meeting minutes.

6.3 Wisconsin Point Plan Implementation Committee, May 7, 2013, meeting minutes.

6.4 Police & Fire Commission May 8, 2013, meeting minutes.

Matters Referred:

Liability Claims Committee:

6.5 Claim #13-15 – Clint Hawkins, Travelers Insurance, on behalf of Dennis Eaves.

Standing Committee Reports Approved:

6.6 **Finance Committee, May 9, 2013** *recommendations for approval*

3. Approve the sewage credit request for Mr. Kevin Peterson located at 1917 N. 11th Street in the amount of \$8,863.52, not to include any interest charges.

4. Approve the Lessee paying rent to the City in an amount equal to a minimum annual rent payment in the amount of \$160,000.00 for gross revenue up to \$1,600,000.00 with 5% of gross revenue exceeding \$1,600,000.01, with payments being made as follows: June 25th - \$40,000.00, July 25th - \$40,000.00, August 25th - \$40,000.00 and September 25th - \$40,000.00. The Nemadji Golf Course Management contract will be reviewed annually.
5. Approve the updates on the new Animal Allies Management Contract to a 90 day notice, for either party to terminate, that will end June 30th 2014, with renegotiation before the end of the contract.
6. Receive and file the April 2013 Internal Auditor Activity Summary.
7. Receive and file the April All Checks Register.
8. Receive and file the April Financial Statement.
9. Receive and file the General Financial Overview.

6.7 License and Fees Committee, May 13, 2013 recommendations for approval

1. Hold in committee Assistant Public Works Director Janigo's request to update Chapters 66 and 112.
2. Deny Councilor Browne's request to implement a cat license; and encourage the City to look at educational options to encourage compliance with dog licenses.

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

Licenses Approved:

- 6.8** Approve miscellaneous licenses. *City Clerk Kalan*

7. BUSINESS BY DEPARTMENT HEADS

- 7.1** Finance Director Vito is recommending to approve the amended Nemadji Golf Course Management/Operating Agreement.

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

- 7.2** Fire Chief Panger is recommending to award the bid for Fire Department Turn Out Gear to Safety First Inc. for \$32,740.

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

- 7.3** Planning Director Serck is requesting permission for pertinent City Officials to enter into a purchase and sale agreement with the Canadian Pacific Railroad in the amount of \$195,707. for 3.51 acres in the area of North 12th Street and Poplar/Spruce Avenues for the purpose of constructing a stormwater retention system.

MOTION by Councilor Olson, seconded by McDonald and carried, to approve.

- 7.4** Public Works Director Goetzman is recommending to award the Central Avenue Reconstruction project to A-1 Excavating for \$363,201.25.

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

- 7.5 Deputy City Clerk Byrnes submitting the 2013-2014 Preliminary Alcohol report:
Part I Renewal Applicants Code Compliant.
Part II Delinquent Special Assessments and/or Personal Property Taxes.
Part III Special Circumstances - Licensees are requesting Council waive City Code Sec. 14-80, Nonoperation, which requires 150 hours of operation 6 months immediately prior to expiration date.

MOTION by Councilor Finsland, seconded by McDonald and carried, to approve applicants listed in Part I; set public hearings to June 4, 2013, to non-renew the applicants listed in Part II; and waive the 150 hours of operation requirement for applicants listed in Part III.

8. BUSINESS BY THE MAYOR

9. BUSINESS BY COUNCILORS

- 9.1 Youth Councilor Report by August Cadotte

10. RESOLUTIONS

- 10.1 **R13-13126** Resolution of the Common Council, Authorizing the Transfer of Property Located on Tower Avenue and Between North 6th and 7th Streets to the Redevelopment Authority of the City of Superior.

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

11. ORDINANCES

12. BUSINESS BY PUBLIC

MOTION by Councilor Herrick, seconded by McDonald and carried, to adjourn meeting at 6:55 p.m.

Respectfully submitted,
Terri Kalan, City Clerk
Superior, Wisconsin

Approved this 4th day of June, 2013.

Attest:

Mayor

City Clerk