

COMMON COUNCIL
June 1, 2010

A regular meeting of the Common Council was called to order at 8:04 p.m. by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Wiegand, Vandertie, Lodl, Abeyta, Mann, Benzshawel, and Schlicht were present.

Abeyta/Mann to adopt agenda. Carried.

The Council reviewed the unfinished business list.

Abeyta/Wiegand to approve following bills: General Fund – \$37,666.05, Capital Fund - \$141,096.11, Cable TV - \$5,486.61, Tourism Fund - \$531.37, and Solid Waste Enterprise Fund - \$11,822.59 for a grand total of \$196,602.73. Roll call: All voted aye. Carried.

Benzshawel/Vandertie to approve consent agenda:

- a. Approval of 5/18/10 regular and 5/5/09 closed session Common Council minutes.
- b. Approval of the following minutes:
 - (1) Personnel Committee closed session – 4/28/09
 - (2) Board of Review – 5/18/10
 - (3) Finance/Purchasing & Building Committee – 5/18/10
 - (4) Personnel Committee – 5/19/10
 - (5) Community Protection & Services Committee – 5/19/10
 - (6) City Plan Commission – 5/19/10
 - (7) Loan Review Committee – 5/26/10
- c. Place the following report on file:
 - (1) Fire Department Report – April 2010
- d. Consideration of: Approval of Beverage Operator licenses.
- e. Consideration of: Approval of Temporary Class B Beer & Class B Wine licenses.
- f. Consideration of: Approval of the following licenses: “Class B” Combination licenses, Class “B” Beer licenses, “Class A” Combination licenses, Class “A” Beer licenses, Class “A” Liquor licenses, and “Class C” Wine licenses.
- g. Personnel Committee recommendation re: Increase Police Captain Arleigh Porter’s salary by \$150.00 per week during time he serves as interim Police Chief, retroactive to May 1, 2010.
- h. City Plan Commission recommendation re: Rezone property located at 836 S. Duluth Avenue and 932 S. Duluth Avenue from General Commercial (C-1) to Mixed Commercial-Residential (C-5).
- i. City Plan Commission recommendation re: Amend Section 27.12(2) of the Municipal Code (Sign Code) to allow each commercial occupant on a lot with multiple commercial occupancies to display one sandwich sign, provided the total number of sandwich signs on a lot shall not exceed one per 50 feet of frontage.
- j. Revolving Loan Fund Committee recommendation re: Approval of revised loan of \$175,000 for WireTech Fabricators, Inc. to be used to purchase equipment with conditions.

Carried with Abeyta abstaining.

A request from Citizens for Our Bridge for permission for a temporary banner exceeding the size limit for banners until June 15, 2010. Eric Leyendecker, Baileys Harbor & Ben Dowland, 62 W Maple Street spoke on this item. Discussion took place regarding the sign being placed on the Michigan Street bridge, the process to put the sign on the bridge, and last years sign on the bridge. Abeyta/Benzshawel to approve the temporary banner to exceed the size limit until June 15, 2010. Benzshawel/Abeyta to amend the motion to add “and that permission from the WI DOT and Zenith Construction be filed with the City prior to hanging the banner. Roll call on the amendment: Lodl, Abeyta, Benzshawel and Schlicht voted aye. Wiegand, Vandertie, and Mann voted no. Amendment carried. Vote taken on original motion as amended. Carried.

Wiegand/Abeyta to adopt the second reading of ordinance re: Creating Section 8.03(7) of the Municipal Code re: Setback for driveways serving large parking areas. Carried.

Wiegand/Abeyta to read in title only for first reading the ordinance re: Rezone property at 836 S. Duluth Avenue & 932 S. Duluth Avenue from General Commercial (C-1) to Mixed Commercial-Residential (C-5). Carried.

RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to create Section 12.075 of the Municipal Code as attached (Cross Connection Control & Backflow).

COMMUNITY PROTECTION & SERVICES COMMITTEE

By: John Lodl, Chr.

Introduced by Lodl. Lodl/Abeyta to adopt. Carried.

RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to create Chapter 34 – Regulation & Licensing of Animals of the Municipal Code and repeal and recreate Section 9.08, 10.23, 12.05, and 12.08 of the Municipal Code as attached.

COMMUNITY PROTECTION & SERVICES COMMITTEE

By: John Lodl, Chr.

Introduced by Lodl. Lodl/Abeyta to adopt. Discussion took place regarding the changes and the regulation of the proposed ordinance. Roll call: Carried with Mann abstaining.

Lodl/Abeyta to make a motion to amend something previously adopted, by amending the approval of the consent agenda approved by the Common Council at its meeting of May 4, 2010 to exclude from that approval the safe routes to school initiative recommended by the Board of Public Works. A short discussion took place on why this should be brought back for further discussion. Roll call: All voted aye. Carried.

Lodl/Mann to send to Board of Public Works the safe routes to school initiative. Discussion took place regarding application for future Safe Routes to School Grants and posting information on the safe routes to school initiative on the City's web site. Roll call: All voted aye except Schlicht who voted no. Carried.

The following people spoke during public comment: Phyllis Busby and Dale Seiler.

The Mayor did not have any comments.

Mann/Vandertie to adjourn. Carried. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Stephanie L. Reinhardt
City Clerk