

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT 2

Monday, December 5, 2005, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - September 12, 19, 22 and 26, 2005.

PUBLIC HEARINGS - 7:00 p.m. - 2006 budget and levy.
7:00 p.m. - 2006-2010 capital improvement plan.

The Duluth City Council promotes the use and adherence of the tools of civility in conducting the business of the council. The tools of civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issues that face the city. These tools include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility. [Approved by the council on August 25, 2003]

REPORTS OF OFFICERS

- * 05-1205-01 Assessor submitting:
 - (a) For confirmation the assessment roll levied to defray the assessable portion of Highland Street Alley sanitary sewer, Contract No. 5392 (assessable - \$59,931.38);
 - (b) Letters of sufficiency of petitions to construct sanitary sewers:
 - (1) 125 feet within Central Avenue Alley beginning 60 feet north of Albion Street and extending northerly;
 - (2) Maple Grove Road beginning at existing manhole 200 feet west of Robin Avenue and extending 1,000 feet westerly (1,000 lineal feet). -- Received
- * 05-1205-02 Community development division manager submitting for public notification a copy of Northern Communities Land Trust (NCLT) request for waivers to HUD conflict of interest rules. -- Received
- * 05-1205-03 City engineer submitting, pursuant to Chapter 45, Article VII, of the Duluth City Code, report of satisfactory completion of local improvements including street, water, natural gas, sanitary sewer and storm sewer system in Hovland Lane (east from Kenwood Avenue) and acceptance of transfer of said local improvement unto the city, in trust for the use and benefit of the public, for inclusion into the public utility system of the city of Duluth. -- Received

REPORTS OF BOARDS AND COMMISSIONS

- * 05-1205-04 Duluth transit authority: (a) Income statement for August 2005; (b) Minutes of October 5, 2005, meeting. -- Received

* Listed only, not copied.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

- Comprehensive plan (5/28/2002)
- Planned unit development (5/28/2002)
- Canal Park parking ramp (11/21/2002)
- Bayfront master plan (12/16/2002)
- ISD 709 (7/10/2003)
- Retiree benefits (4/12/2004)
- Air National Guard base (7/21/2005)
- Kapsner issues (8/22/2005)

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OPPORTUNITY FOR CITIZENS TO BE HEARD
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RESOLUTIONS TABLED

COMMITTEE 1

BY COUNCILOR STAUBER (FINANCE)

05-0741R - RESOLUTION APPROVING A SUPPLEMENTAL AGREEMENT WITH THE CITY OF DULUTH SUPERVISORY ASSOCIATION REGARDING ACTIVE AND RETIREE HEALTH INSURANCE.
(REPLACEMENT)
(TABLED 11/14)

05-0804R - RESOLUTION ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2006.
(TABLED 11/28 FOR INFORMATION)

COMMITTEE 2

BY COUNCILOR GILBERT (PLANNING & ECONOMIC DEVELOPMENT)

05-0699R - RESOLUTION AFFIRMING THE DECISION OF THE BOARD OF ZONING APPEALS TO DENY A VARIANCE TO REDUCE THE MINIMUM CORNER SIDE YARD SETBACK REQUIREMENT FROM 20 FEET TO TEN FEET FOR THE CONSTRUCTION OF A 904 SQUARE FOOT ADDITION TO AN EXISTING 576 SQUARE FOOT DETACHED GARAGE ON PROPERTY LOCATED AT 322 NORTH 80TH AVENUE WEST (DAVID MARK RIDGEWELL).
(TABLED 10/24)

05-0700R - RESOLUTION REVERSING THE DECISION OF THE BOARD OF ZONING APPEALS TO DENY A VARIANCE TO REDUCE THE MINIMUM CORNER SIDE YARD SETBACK REQUIREMENT FROM 20 FEET TO TEN FEET FOR THE CONSTRUCTION OF A 904 SQUARE FOOT ADDITION TO AN EXISTING 576 SQUARE FOOT DETACHED GARAGE ON PROPERTY LOCATED AT 322 NORTH 80TH AVENUE WEST (DAVID MARK RIDGEWELL).
(TABLED 10/24)

05-0761R - RESOLUTION TERMINATING A CONCURRENT USE PERMIT TO THE DULUTH TRANSIT AUTHORITY FOR A BUS SHELTER ON SECOND AVENUE EAST ABOVE SUPERIOR STREET (NORSHOR BUILDING).
(TABLED 11/14)

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MOTIONS AND RESOLUTIONS

CONSENT AGENDA

All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a councilor requests, or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

COMMITTEE 1

BY COUNCILOR STAUBER (FINANCE)

05-0830R - RESOLUTION APPROVING THE FISCAL YEAR JANUARY 1, 2006, TO DECEMBER 31, 2006, OPERATION BUDGET OF THE DULUTH TRANSIT AUTHORITY.

05-0831R - RESOLUTION APPROVING THE FISCAL YEAR JANUARY 1, 2006, TO DECEMBER 31, 2006, OPERATION BUDGET FO THE DULUTH AIRPORT AUTHORITY.

COMMITTEE 1

BY COUNCILOR STAUBER (FINANCE)

05-0832R - RESOLUTION APPROVING THE FISCAL YEAR JANUARY 1, 2006, TO DECEMBER 31, 2006, OPERATION BUDGET OF THE DULUTH STEAM DISTRICT NO. 2.

05-0835R - RESOLUTION OF THE CITY OF DULUTH, MINNESOTA, STATING THE INTENT TO ISSUE GENERAL OBLIGATION EQUIPMENT CERTIFICATES OF INDEBTEDNESS, SERIES 2006 AND APPROVING THE CAPITAL EQUIPMENT LIST ASSOCIATED WITH THE BONDS IN THE APPROXIMATE AMOUNT OF \$1,750,000.

05-0836R - RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF CONSTRUCTION OF A SANITARY SEWER IN HIGHLAND STREET ALLEY.

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

05-0825R - RESOLUTION OF INTENT TO CONSTRUCT 125 FEET OF SANITARY SEWER IN CENTRAL AVENUE ALLEY BEGINNING 60 FEET NORTH OF ALBION STREET AND EXTENDING NORTHERLY (CITY JOB NO. 0515SN).

05-0826R - RESOLUTION OF INTENT TO CONSTRUCT 1,000 FEET OF SANITARY SEWER IN MAPLE GROVE ROAD BEGINNING 200 FEET WEST OF ROBIN AVENUE AND EXTENDING WESTERLY (CITY JOB NO. 0544SN).

BY COUNCILOR LITTLE (PUBLIC SAFETY)

05-0824R - RESOLUTION ACCEPTING DONATIONS FROM THE SPIRIT VALLEY NEIGHBORHOOD DEVELOPMENT ASSOCIATION OF VARIOUS EQUIPMENT FOR THE POLICE DEPARTMENT.

END OF CONSENT AGENDA

The following entitled resolutions are also for consideration at this meeting:

COMMITTEE 1

BY COUNCILOR STAUBER (FINANCE)

05-0834R - RESOLUTION APPROVING CAPITAL IMPROVEMENT PLAN AND CALLING FOR PUBLIC HEARING ON INTENTION TO ISSUE IMPROVEMENT BONDS UNDER MINNESOTA STATUTES, SECTION 475.521.

COMMITTEE 2

BY COUNCILOR GILBERT (PLANNING & ECONOMIC DEVELOPMENT)

05-0827R - RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$210,470 BETWEEN THE 2000, 2003 AND 2004 HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAMS.

COMMITTEE 2

BY COUNCILOR GILBERT (PLANNING & ECONOMIC DEVELOPMENT)

05-0828R - RESOLUTION AUTHORIZING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH CC SAN MARCO, LLC, RELATED TO THE SAN MARCO RESIDENTIAL DEVELOPMENT.

05-0837R - RESOLUTION REQUESTING THE FREE CONVEYANCE OF TAX FORFEITED LAND LOCATED BETWEEN SOUTH RIDGE ROAD AND 40TH AVENUE EAST, NEAR NORTHLAND ESTATES, FOR STORMWATER DRAINAGE AND STEEP SLOPE PROTECTION.

BY PRESIDENT NESS (COMMITTEE OF THE WHOLE)

05-0842R - RESOLUTION SUPPORTING CHILD CARE PROGRAM.

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

05-0829R - RESOLUTION AUTHORIZING PAYMENT TO GRANITE WORKS, INC., IN AN AMOUNT NOT TO EXCEED \$20,000 FOR A PUBLIC SEWER MAIN IN MORGAN PARK ADJACENT TO THE FORMER USX PLANT ATLAS CEMENT SITE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES

The following entitled ordinances are to be read for the first time:

COMMITTEE 1

BY COUNCILOR STAUBER (FINANCE)

05-054-O - AN ORDINANCE TO AMEND THE BUDGET OF THE CITY OF DULUTH FOR THE YEAR 2005 INCREASING THE BUDGET AND APPROPRIATING MONIES FOR THE PAYMENT OF SUCH INCREASE.

05-055-O - AN ORDINANCE SETTING THE BUDGET FOR THE FISCAL YEAR 2006 APPROPRIATION MONIES FOR THE SUPPORT OF THE CITY GOVERNMENT, PUBLIC UTILITIES, AND PUBLIC ENTERPRISE FUNDS AND FOR OTHER PURPOSES.

05-056-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2006.

05-057-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH TRANSIT AUTHORITY, FOR THE YEAR 2006.

05-058-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH SEAWAY PORT AUTHORITY, FOR THE YEAR 2006.

The following entitled ordinance is to be read for the second time:

COMMITTEE 2

BY COUNCILOR GILBERT (PLANNING & ECONOMIC DEVELOPMENT)

05-052-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE 1959, AS AMENDED, ZONING DISTRICT MAP NO. 43 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM S, SUBURBAN, TO R-1-B, SINGLE FAMILY RESIDENTIAL, PROPERTY LOCATED SOUTH OF GLENWOOD STREET ALONG THE NORTH SIDE OF NORTH RIDGE ROAD (CITY OF DULUTH).

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COUNCILOR QUESTIONS AND COMMENTS

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