

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, July 24, 2006, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - June 12 and 26, 2006.

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]

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

* 06-0724-01 Haines Properties, LLP, petition to reclassify from IT to C-5 property described as SW1/4 of SW1/4 except W1/2 of S1/2 of S1/2 of W1/2 of Section 7, Township 50, Range 14. -- Assessor

* 06-0724-02 Jim Aird communication regarding the proposed ordinance pertaining to inspection and removal of vacant buildings (06-018-O). -- Received

REPORTS FROM THE ADMINISTRATION

- Retiree healthcare benefits

REPORTS FROM OTHER OFFICERS

* 06-0724-03 Assessor letter of sufficiency of petition to reclassify from IT to C-5 property described as SW1/4 of SW1/4 except W1/2 of S1/2 of S1/2 of W1/2 of Section 7, Township 50, Range 14. -- Received

* 06-0724-04 Facilities management lease agreement, pursuant to Section 2-35 of the Duluth City Code, with Legacy Restaurants, Inc., for operation of the City Hall coffee shop. -- Mayor for execution

REPORTS OF BOARDS AND COMMISSIONS

* 06-0724-05 Duluth human rights commission minutes of June 14, 2006, meeting. -- Received

* 06-0724-06 Duluth/North Shore Sanitary District minutes of June 14, 2006, meeting. -- Received

* 06-0724-07 Housing and redevelopment authority minutes of: (a) February 28; (b) March 28, 2006, meetings. -- Received

* 06-0724-08 Planning commission minutes of: (a) June 13; (b) June 19; (c) June 28, 2006, meetings. -- Received

* Listed only, not copied.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

- Comprehensive plan
- Planned unit development

- - -
OPPORTUNITY FOR CITIZENS TO BE HEARD
- - -
RESOLUTIONS TABLED

COMMITTEE 2

BY COUNCILOR GILBERT (PLANNING & ECONOMIC DEVELOPMENT)

06-0408R - RESOLUTION DENYING A REZONING PETITION TO PROVIDE FOR THE RECLASSIFICATION FROM S-2, SUBURBAN RESIDENTIAL, TO R-1-A, SINGLE FAMILY RESIDENTIAL, PROPERTY LOCATED AT 7717 CONGDON BOULEVARD (GILBERTSON). (TABLED 5/22)

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

06-0382R - RESOLUTION ORDERING THE CONSTRUCTION OF A RESIDENTIAL STREET, SANITARY SEWER AND WATERMAIN ON SPEAR AVENUE FROM SILCOX AVENUE TO LIVINGSTON AVENUE AT AN ESTIMATED COST OF \$430,000. (TABLED 5/22)

- - -
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 STEWART (FINANCE)

06-0536R - RESOLUTION AMENDING SALE DATE OF GENERAL OBLIGATION BONDS AUTHORIZED BY RESOLUTION 06-0500.

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

06-0524R - RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSES OF D & D ENTERPRISES OF CLOQUET, INC. (MR. D'S SPIRIT VALLEY BAR AND GRILL), 5622 GRAND AVENUE, DWAYNE AND KIMBERLY, INC. (KOM-ON-INN), 332 NORTH 57TH AVENUE WEST, AND THE RUSTIC BAR, INC. (RUSTIC SPORTS BAR), 401 NORTH CENTRAL AVENUE.

06-0525R - RESOLUTION ISSUING A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO NORTHLAND COUNTRY CLUB, 3901 EAST SUPERIOR STREET.

06-0526R - RESOLUTION APPROVING THE ISSUANCE OF AN ADDITIONAL BAR LICENSE TO S & D ENTERPRISES, INC. (GOPHER RESTAURANT AND LOUNGE), 402 NORTH CENTRAL AVENUE.

06-0549R - RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF DARREL FREDRICKSON (HORSESHOE BILLIARDS), 2415 WEST SUPERIOR STREET.

06-0550R - RESOLUTION AWARDED CONTRACT TO HEWLETT-PACKARD COMPANY FOR MISCELLANEOUS MICROCOMPUTER HARDWARE AND SOFTWARE PRODUCTS AS NEEDED, NOT TO EXCEED THE YEAR 2006 BUDGET ALLOCATION OF \$110,000.

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

06-0551R - RESOLUTION AWARDED CONTRACT TO ENVENTIS TELECOM FOR THE PURCHASE OF NETWORK SECURITY HARDWARE AND SOFTWARE IN THE AMOUNT OF \$25,926.85.

BY COUNCILOR JOHNSON (PERSONNEL)

06-0519R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF SAFETY AND TRAINING SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

06-0520R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF TELECOMMUNICATIONS ADMINISTRATOR AND SPECIFYING CONTRACT BENEFITS FOR SAME.

06-0530R - RESOLUTION CONFIRMING THE APPOINTMENT OF PAUL A. HELLER TO THE SANITARY SEWER BOARD OF THE WLSSD, REPLACING MARK DYLLA.

06-0531R - RESOLUTION CONFIRMING THE APPOINTMENT OF BRUCE L. HANSEN TO THE SISTER CITY COMMISSION, REPLACING ALBERT M. KATZ.

COMMITTEE 2

BY COUNCILOR GILBERT (PLANNING & ECONOMIC DEVELOPMENT)

06-0541R - RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$40,000 IN THE 2005 HUD HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM AND APPROVING A FIRST AMENDMENT TO THE TENANT-BASED RENTAL ASSISTANCE PROGRAM CONTRACT.

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

06-0470R - RESOLUTION AWARDED A CONTRACT TO GROEBNER AND ASSOCIATES, INC., FOR HIGH PRESSURE GAS VALVES AND METERS AS NEEDED FOR YEAR 2006 FOR A QUOTED AMOUNT OF \$31,925.38.

06-0473R - RESOLUTION AWARDED A CONTRACT TO NORTHERN WATER WORKS SUPPLY, INC., FOR FIRE HYDRANTS AS NEEDED FOR YEAR 2006 FOR A QUOTED AMOUNT OF \$35,755.35.

06-0515R - RESOLUTION AWARDED CONTRACT TO MONROE TRUCK EQUIPMENT FOR DUMP BODIES AND SANDERS AND UTILITY BODY FOR A CHEVROLET 4500 CHASSIS IN AMOUNT OF \$199,976.

06-0516R - RESOLUTION AWARDED A FIVE-YEAR CONTRACT TO NORTRAX EQUIPMENT COMPANY TO LEASE FOUR JOHN DEERE 7720 MOTOR GRADERS IN AMOUNT OF \$54,408.00 PER YEAR FOR A TOTAL FIVE-YEAR AMOUNT OF \$289,722.60.

06-0522R - RESOLUTION AMENDING RESOLUTION 05-0764 ADOPTED NOVEMBER 14, 2005, AWARDED A CONTRACT FOR A PROFESSIONAL ENGINEERING WITH LHB, INC., TO PERFORM THE NECESSARY INVESTIGATION, DESIGN AND PLAN PREPARATION SERVICES AND PREPARE BID CONSTRUCTION DOCUMENTS FOR THE PHASE II REHABILITATION PROJECT OF THE AERIAL LIFT BRIDGE IN THE AMOUNT OF \$89,531 FOR A NEW TOTAL OF \$103,976.

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

06-0523R - RESOLUTION AWARDDING A CONTRACT TO TWIN PORTS ENVIRONMENTAL/CONSTRUCTION FOR THE REMEDIATION AND REMOVAL OF LEAD CONTAMINATED SOILS AT THE FORMER GARY-NEW DULUTH WATER TOWER LOCATION AT 105TH AVENUE WEST AND MCGONAGLE STREET IN THE AMOUNT OF \$17,253.25.

06-0528R - RESOLUTION AWARDDING CONTRACT TO HYDRO METERING TECHNOLOGY FOR COLD WATER METERS WITH REMOTE REGISTERS AS NEEDED DURING YEAR 2006 FOR AN ESTIMATED \$51,013.50.

06-0529R - RESOLUTION AWARDDING CONTRACT TO CARGILL, INC., C/O HALLETT DOCK COMPANY, FOR ROAD SALT IN THE AMOUNT OF \$503,361.60.

06-0533R - RESOLUTION AWARDDING CONTRACT TO TRENCHERS PLUS, INC., FOR A 4-WHEEL DRIVE TRENCHER AND HEAVY DUTY TRAILER IN THE AMOUNT OF \$35,245.11

06-0534R - RESOLUTION AWARDDING CONTRACT TO ABM EQUIPMENT AND SUPPLY, INC., FOR THE PURCHASE AND MOUNTING OF AN AERIAL BUCKET AND BODY IN THE AMOUNT OF \$125,337.72.

06-0537R - RESOLUTION AWARDDING CONTRACT TO LARSON CHEVROLET-OLDSMOBILE, INC., FOR THE PURCHASE OF LIGHT AND HEAVY DUTY TRUCKS AND VANS FOR A TOTAL AMOUNT OF \$197,258.24.

06-0538R - RESOLUTION AWARDDING CONTRACT TO DULUTH FORD LLC DBA NORTHSTAR FORD FOR THE PURCHASE OF LIGHT AND HEAVY DUTY TRUCKS AND VANS FOR A TOTAL AMOUNT OF \$101,373.10.

06-0539R - RESOLUTION AWARDDING CONTRACT TO MIKE MOTORS, INC., FOR THE PURCHASE OF LIGHT AND HEAVY DUTY TRUCKS AND VANS, FOR A TOTAL AMOUNT OF \$49,574.69.

06-0540R - RESOLUTION AWARDDING CONTRACT TO LUTHER EGGBRECHT CHEVROLET FOR THE PURCHASE OF LIGHT AND HEAVY DUTY TRUCKS AND VANS FOR A TOTAL AMOUNT OF \$47,948.43

06-0545R - RESOLUTION AMENDING RESOLUTION 05-0475 AWARDDING A CONTRACT TO MSA PROFESSIONAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE REHABILITATION AND RECONSTRUCTION OF SEWER LIFT STATIONS NUMBER 2, 7, 21 AND 38, INCREASING THE AMOUNT BY \$12,000 FOR A NEW TOTAL OF \$107,370.

06-0547R - RESOLUTION ACCEPTING DONATION OF TEMPORARY CONSTRUCTION EASEMENT FROM CIRRUS CORP. FOR AIRPORT ROAD.

06-0548R - RESOLUTION REQUESTING THE CHARTER COMMISSION TO RECOMMEND ADOPTION OF AN ORDINANCE AMENDING SECTION 69 OF THE CITY CHARTER TO ELIMINATE PENALTIES AND INTEREST ON ASSESSMENTS WHICH ARE LEVIED AFTER A PROPERTY IS FORFEITED FOR NONPAYMENT OF TAXES.

06-0552R - RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT NO. 20128 WITH R.W. BECK INCREASING THE AMOUNT PAYABLE THEREUNDER BY \$5,000.

COMMITTEE 3

BY COUNCILOR LITTLE (PUBLIC SAFETY)

06-0527R - RESOLUTION AUTHORIZING CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES IN WEST DULUTH ON AUGUST 4, 2006, IN CONJUNCTION WITH SPIRIT VALLEY DAYS AND SUBJECT TO CERTAIN CONDITIONS.

06-0543R - RESOLUTION AUTHORIZING CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH FOND DU LAC TRIBAL AND COMMUNITY COLLEGE TO PROVIDE PRESSURE POINT CONTROL TACTICS INSTRUCTOR TRAINING IN AN AMOUNT NOT TO EXCEED TO \$3,620 AND TO AUTHORIZE CITY OFFICIALS TO ALLOW OTHER AGENCIES TO PARTICIPATE IN THE AMOUNT OF \$350 PER STUDENT.

06-0544R - RESOLUTION AUTHORIZING THE CITY TO ACCEPT A \$2,000 GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY AND TO EXECUTE ANY DOCUMENTS REQUIRED TO BE EXECUTED TO ACCEPT SUCH GRANT.

06-0546R - RESOLUTION AWARDED CONTRACT TO CUSHMAN MOTOR COMPANY, INC., FOR TWO WESTWARD INTERCEPTOR III PATROL VEHICLES IN THE AMOUNT OF \$49,870.

BY COUNCILOR STAUBER (RECREATION, LIBRARIES & AUTHORITIES)

06-0542R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND BAYFRONT BLUES FESTIVAL, INC. AUTHORIZING A PERMIT FOR THE PRODUCTION OF A MUSIC FESTIVAL AT BAYFRONT FESTIVAL PARK. **(REPLACEMENT)**

END OF CONSENT AGENDA

- - -

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

COMMITTEE 2

BY COUNCILOR GILBERT (PLANNING & ECONOMIC DEVELOPMENT)

06-0532R - RESOLUTION DENYING A REZONING PETITION TO PROVIDE FOR THE RECLASSIFICATION FROM R-3, APARTMENT RESIDENTIAL, TO C-1, COMMERCIAL DISTRICT, PROPERTY LOCATED AT 1225 EAST FIRST STREET (LAKE SUPERIOR DENTAL ASSOCIATES).

COMMITTEE 3

BY COUNCILOR LITTLE (PUBLIC SAFETY)

06-0535R - RESOLUTION IN SUPPORT OF NATIONAL NIGHT OUT TO BE HELD ON AUGUST 1, 2006.

- - -

INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCES TABLED

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

06-018-O - AN ORDINANCE PERTAINING TO INSPECTION AND REMOVAL OF VACANT BUILDINGS; AMENDING CHAPTER 10 OF THE DULUTH CITY CODE, 1959, AS AMENDED, AND CREATING A FEE.

(TABLED 6/26) **(REPLACEMENT 2)**

COMMITTEE 2

BY COUNCILOR GILBERT (PLANNING & ECONOMIC DEVELOPMENT)

06-016-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE 1959, AS AMENDED, ZONING DISTRICT MAP NO. 47 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM S-2, SUBURBAN RESIDENTIAL TO R-1-A, SINGLE FAMILY RESIDENTIAL, PROPERTY LOCATED AT 7717 CONGDON BOULEVARD (GILBERTSON). (TABLED 6/12)

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

COMMITTEE 2

BY COUNCILOR GILBERT (PLANNING & ECONOMIC DEVELOPMENT)

06-024-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE 1959, AS AMENDED, ZONING DISTRICT MAP NO. 35 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM R-3, APARTMENT RESIDENTIAL, TO C-1, COMMERCIAL DISTRICT, PROPERTY LOCATED AT 1225 EAST FIRST STREET (LAKE SUPERIOR DENTAL ASSOCIATES).

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

06-025-O - AN ORDINANCE DEDICATING AN EASEMENT FOR STREET RIGHT-OF-WAY PURPOSES FOR WEST TENTH STREET, BETWEEN 24TH AVENUE WEST AND 26TH AVENUE WEST.

06-027-O - AN ORDINANCE AUTHORIZING GRANTING OF STREET EASEMENTS OVER CITY-OWNED PROPERTY AT DIAP.

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

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

06-023-O - AN ORDINANCE AUTHORIZING CONVEYANCE OF PROPERTY TO TRINITY DEVELOPMENT GROUP FOR \$12,358.49.

COUNCILOR QUESTIONS AND COMMENTS
