

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT 2

Monday, January 29, 2007, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS - 7:00 p.m. - 2007 - 2011 Capital improvement plan bond issuance (07-0052R).
7:00 p.m. - Establishment of TIF District No. 24 (Duluth renaissance project) (07-0072R).

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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]

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PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

- * 07-0129-01 DSGW Architects, Inc., concurrent use permit application for new parking arrangement and stairway at 2200 London Road. -- Planning commission
- * 07-0129-02 Richard LeBeau, et al. (one signature), further petition to reclassify from R-1-a to C-5 the westerly 550 feet of the southerly 433 feet of the easterly 1,858.11 feet of the south 1/2 of the southeast 1/4, Section 8, Township 50, Range 14. -- Assessor
- * 07-0129-03 Duluth Lakewalk Offices, LLC, acceptance of terms, conditions and provisions of concurrent use permit granted by Ordinance 9800 on November 13, 2006. -- Received
- 07-0129-04 Eric Ringsred communications (two) regarding the on sale intoxicating liquor license of Black River Mills, Inc. (Kozy Bar), 129 East First Street (07-0063R). -- Received

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REPORTS FROM THE ADMINISTRATION

- Retiree healthcare benefits

07-0129-11 Mayor Bergson veto of Resolution 07-0050, requesting that the administration develop and present an ordinance authorizing residential parking permits in metered zones. -- Received

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REPORTS FROM OTHER OFFICERS

- * 07-0129-05 Assessor:
 - (a) Assessment roll levied to defray the assessable portion of Contract No. 5422, Denim Drive, full development (assessable amount \$271,384.79);
 - (b) Letters of sufficiency of:
 - (1) Further petition to reclassify from R-1-a to C-5 the westerly 550 feet of the southerly 433 feet of the easterly 1,858.11 feet of the south 1/2 of the southeast 1/4, Section 8, Township 50, Range 14;
 - (2) Petitions to vacate:
 - (A) A portion of Austin Street, Woodland Park Second Division;

(B) The public easement lying over, under and across that part of vacated Helm Street, Marine Division of Duluth, lying between the easterly line of 32nd Avenue West and a line drawn from the northeast corner of Lot 27, Block 3, Marine Division of Duluth, to the southeast corner of Lot 12, Block 4, Marine Division of Duluth. -- Received

* 07-0129-06 Clerk applications to the Minnesota gambling control board for exemption from lawful gambling licenses (raffles) from: (a) St. James Catholic School on June 4, 2007; (b) St. Louis and Carlton County Chapter of Pheasants Forever on April 20, 2007. -- Received

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REPORTS OF BOARDS AND COMMISSIONS

- * 07-0129-07 Duluth human rights commission minutes of December 13, 2006, meeting. -- Received
- * 07-0129-08 Duluth/North Shore Sanitary District minutes of December 13, 2006, meeting. -- Received
- * 07-0129-09 Parks and recreation commission minutes of: (a) November 8; (b) December 13, 2006, meetings. -- Received
- * 07-0129-10 Planning commission minutes of: (a) November 28; (b) December 12, 2006, meetings. -- Received

* Listed only, not copied.

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REPORTS OF COUNCIL COMMITTEES

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REPORTS OF COUNCIL OPEN ISSUES

- Planned unit development
- Zoning Code changes

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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RESOLUTION FOR RECONSIDERATION

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-0050R - RESOLUTION REQUESTING THAT THE ADMINISTRATION DEVELOP AND PRESENT AN ORDINANCE AUTHORIZING RESIDENTIAL PARKING PERMITS IN METERED ZONES.

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RESOLUTION TABLED

COMMITTEE 1

BY COUNCILOR STEWART (FINANCE)

06-0875R - RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF 3400 DRIVE TRINITY ROAD SANITARY SEWER AND WATERMAIN EXTENSION.

(RETABLED 1/16/2006)

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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 STEWART (FINANCE)

07-0035R - RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF DENIM DRIVE - FULL DEVELOPMENT.

07-0052R - RESOLUTION OF THE CITY OF DULUTH, MINNESOTA, STATING THE INTENT TO ISSUE AN AMOUNT NOT TO EXCEED \$1,240,000 GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2007.

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

07-0060R - RESOLUTION AUTHORIZING A CONSULTANT AGREEMENT WITH KRECH OJARD & ASSOCIATES, P.A., ENGINEERS AND ARCHITECTS, FOR PROVIDING CERTAIN PROFESSIONAL SERVICES TO THE CITY OF DULUTH IN CONNECTION WITH THE EAST DULUTH VEHICLE STORAGE FACILITY, IN AN AMOUNT NOT TO EXCEED \$28,436.

07-0064R - RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF BLACK RIVER MILLS, INC. (NORSHOR THEATER), 121 EAST SUPERIOR STREET.

07-0078R - RESOLUTION CALLING A PUBLIC HEARING ON PROPOSED AMENDMENTS TO SECTIONS 31, 33, 34, 54 AND 55 OF THE DULUTH CITY CHARTER.

07-0079R - RESOLUTION DESIGNATING THE DULUTH NEWS TRIBUNE AS THE OFFICIAL NEWSPAPER OF THE CITY FOR YEAR 2007.

BY COUNCILOR GILBERT (PERSONNEL)

07-0047R - RESOLUTION CONFIRMING THE REAPPOINTMENT OF JOHN BEYER AND THE APPOINTMENT OF TAMMY WALSH, REPLACING JEAN MATTSON, TO THE DEFERRED COMPENSATION PLAN COMMISSION.

07-0053R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF PROGRAMMER ANALYST.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-0074R - RESOLUTION REQUESTING THE FREE CONVEYANCE OF TAX FORFEITED LAND FOR STORMWATER DRAINAGE PURPOSES LOCATED ON THE EAST SIDE OF UNBUILT 90TH AVENUE WEST 100 FEET SOUTH OF SWENSON AVENUE.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-0077R - RESOLUTION REQUESTING THE FREE CONVEYANCE OF TAX FORFEITED LAND FOR RECREATION PURPOSES LOCATED AT THE BASE OF SPIRIT MOUNTAIN 140 FEET WEST OF 85TH AVENUE WEST.

07-0081R - RESOLUTION AUTHORIZING DULUTH AIRPORT NORTH BUSINESS DEVELOPMENT AREA REDEVELOPMENT GRANT APPLICATION.

COMMITTEE 3

BY COUNCILOR JOHNSON (PUBLIC WORKS & UTILITIES)

07-0016R - RESOLUTION AWARDED CONTRACT TO OSCAR J. BOLDT CONSTRUCTION COMPANY FOR THE INSTALLATION OF A VERTICAL COAL CONVEYOR ELEVATOR AT THE DULUTH STEAM PLANT IN THE AMOUNT OF \$42,733.

07-0048R - RESOLUTION AWARDED A CONTRACT TO ULLAND BROTHERS, INC., FOR THE CONSTRUCTION OF AIRPORT ROAD FROM THE DULUTH CITY LIMITS TO 2,226 FEET EASTERLY ON ITS LOW SPECIFICATION BID OF \$492,100.

07-0055R - RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY TO ENTER INTO A LOAN AGREEMENT FOR THE CONSTRUCTION OF THE LAKESIDE INTERCEPTOR SANITARY SEWER OVERFLOW (SSO) STORAGE FACILITY AT ENDION PUMP STATION (18TH AVENUE EAST AND WATER STREET).

07-0061R - RESOLUTION AWARDED CONTRACT TO ZIEGLER, INC., FOR O.E.M. PARTS AND REPAIRS FOR CATERPILLAR EQUIPMENT AS NEEDED DURING YEAR 2007 FOR AN ESTIMATED AMOUNT OF \$30,000.

07-0062R - RESOLUTION AWARDED CONTRACT TO NORTRAX EQUIPMENT COMPANY FOR O.E.M. PARTS AND REPAIRS FOR JOHN DEERE EQUIPMENT DURING YEAR 2007 FOR AN ESTIMATED AMOUNT OF \$16,000.

07-0065R - RESOLUTION AWARDED A CONTRACT TO VENTURE FUELS FOR PROVIDING COAL TO DULUTH STEAM COOPERATIVE DISTRICT 1 FOR HEATING SEASONS AS FOLLOWS: \$1,533,060 FOR 2007/2008; \$1,588,140 FOR 2008/2009; AND \$1,643,220 FOR 2009/2010, FOR A THREE-YEAR ESTIMATED TOTAL OF \$4,764,420.

07-0067R - RESOLUTION AWARDED CONTRACT TO NORTHSTAR FORD, LLC, FOR O.E.M. PARTS AND REPAIRS FOR FORD VEHICLES AS NEEDED DURING YEAR 2007 AT AN ESTIMATED AMOUNT OF \$25,000.

07-0068R - RESOLUTION AWARDED CONTRACT TO MACQUEEN EQUIPMENT, INC., FOR O.E.M. PARTS AND REPAIRS FOR ELGIN AND VACTOR EQUIPMENT AS NEEDED DURING YEAR 2007 AT AN ESTIMATED AMOUNT OF \$30,000.

07-0069R - RESOLUTION AWARDED CONTRACT TO MANEY INTERNATIONAL, INC., FOR O.E.M. NAVISTAR PARTS AND REPAIRS AS NEEDED DURING YEAR 2007 AT AN ESTIMATED AMOUNT OF \$50,000.

07-0070R - RESOLUTION AWARDED CONTRACT TO BOYER TRUCKS, DULUTH-SUPERIOR, INC., FOR O.E.M. PARTS AND REPAIRS FOR FORD VEHICLES AS NEEDED DURING YEAR 2007 AT AN ESTIMATED AMOUNT OF \$16,000.

COMMITTEE 3

BY COUNCILOR JOHNSON (PUBLIC WORKS & UTILITIES)

07-0071R - RESOLUTION AWARDED CONTRACT TO LARSON CHEVROLET-OLDSMOBILE, INC., FOR O.E.M. PARTS AND REPAIRS FOR GENERAL MOTORS VEHICLES AS NEEDED DURING YEAR 2007 AT AN ESTIMATED AMOUNT OF \$20,000.

07-0083R - RESOLUTION CREATING THE COMMERCIAL/INDUSTRIAL ENERGY CONSERVATION PROGRAM, APPROVING PROGRAM GUIDELINES AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS AND UTILITIES TO GRANT FUNDS TO PRIVATE PARTICIPANTS IN CONFORMANCE THEREWITH.

BY COUNCILOR LITTLE (PUBLIC SAFETY)

07-0056R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MAINTENANCE AGREEMENT WITH ST. LOUIS COUNTY FOR COMPUTER HARDWARE AND SOFTWARE ASSOCIATED WITH PARTICIPATION IN A SHARED INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM, NEMESIS (NORTHEASTERN MINNESOTA ENFORCEMENT AND SAFETY INFORMATION SYSTEM) FOR \$27,500.28.

07-0057R - RESOLUTION AWARDED CONTRACT TO ST. LOUIS COUNTY DEPARTMENT OF COMMUNICATIONS FOR COMPUTER-AIDED DISPATCH SYSTEM ACCESS IN AN AMOUNT OF \$26,160.

07-0058R - RESOLUTION AWARDED CONTRACT TO UNIFORM CONNECTION FOR POLICE UNIFORMS AS NEEDED DURING YEAR 2007 AT AN ESTIMATED AMOUNT OF \$20,000.

07-0059R - RESOLUTION AWARDED CONTRACT TO E/S SUPPORT SERVICES FOR COMPUTER HARDWARE AND SOFTWARE MAINTENANCE AS NEEDED DURING YEAR 2007 FOR A TOTAL AMOUNT OF \$17,328.

BY COUNCILOR REINERT (RECREATION, LIBRARIES & AUTHORITIES)

07-0040R - RESOLUTION AUTHORIZING CITY OFFICIALS TO ACCEPT GIFTS AND ESTABLISH A FUND FOR THE PROMOTION AND DEVELOPMENT OF DISC GOLF.

07-0075R - RESOLUTION AUTHORIZING EXECUTION OF A \$5,000 GRANT AGREEMENT WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR MAINTENANCE OF CROSS COUNTRY SKI TRAILS.

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

07-0063R - RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF BLACK RIVER MILLS, INC. (KOZY BAR), 129 EAST FIRST STREET. **(AMENDMENT)**

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-0066R - RESOLUTION APPROVING THE DECERTIFICATION OF PARCELS FROM TAX INCREMENT FINANCING DISTRICT NOS. 2 AND 19 WITHIN DEVELOPMENT DISTRICT NO. 17 OF THE CITY OF DULUTH.

07-0072R - RESOLUTION ESTABLISHING TAX INCREMENT FINANCING DISTRICT NO. 24 (THE DULUTH RENAISSANCE PROJECT) AND ADOPTING A TAX INCREMENT FINANCING PLAN THEREFOR.

07-0073R - RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND A&L DULUTH RENAISSANCE, LLC, RELATING TO THE OLD HISTORIC DISTRICT RENAISSANCE PROJECT.

07-0076R - RESOLUTION AUTHORIZING AN AGREEMENT WITH ST. LOUIS COUNTY PURSUANT TO WHICH THE CITY SHALL REIMBURSE THE COUNTY FOR A PROFESSIONAL SERVICES CONTRACT RELATED TO THE COMPLETION OF THE DULUTH/ST. LOUIS COUNTY TEN YEAR PLAN TO END HOMELESSNESS IN AN AMOUNT NOT TO EXCEED \$10,000. **(AMENDMENT)**

BY PRESIDENT STOVER (COMMITTEE OF THE WHOLE)

07-0087R - RESOLUTION CALLING A PUBLIC HEARING ON PROPOSED AMENDMENTS TO SECTIONS 21 AND 102 OF THE DULUTH CITY CHARTER.

COMMITTEE 3

BY COUNCILOR REINERT (RECREATION, LIBRARIES & AUTHORITIES)

07-0054R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH WILLARD ENTERPRISES, INC., PROVIDING FOR A LEASE AND OPERATING AGREEMENT OF THE INDIAN POINT CAMPGROUND.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCE TABLED

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

06-058-O - AN ORDINANCE AMENDING SECTIONS 44-1, 44-2, 44-5, 44-11, 44-14, 44-33 AND 44-34 OF THE DULUTH CITY CODE, 1959, AS AMENDED; REGULATING LIGHTED SIGNS.

(TABLED 12/4/2006 AND REFERRED TO PLANNING COMMISSION)

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-005-O - AN ORDINANCE TO AMEND THE BUDGET OF THE CITY OF DULUTH FOR THE YEAR 2007 BY REPLACING LANGUAGE IN SECTION 10 OF ORDINANCE 9810 AND RESCINDING THE LANGUAGE PREVIOUSLY APPROVED.

COMMITTEE 3

BY COUNCILOR JOHNSON (PUBLIC WORKS & UTILITIES)

07-003-O - ORDINANCE AUTHORIZING THE SALE OF CERTAIN CITY PROPERTY AT PUBLIC AUCTION AND CERTIFICATE OF SALE OF TAX FORFEIT LANDS AND CITY LANDS.

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

COMMITTEE 3

BY COUNCILOR JOHNSON (INTRODUCED BY PRESIDENT STOVER) (PUBLIC WORKS & UTILITIES)

07-002-O - AN ORDINANCE AUTHORIZING THE SALE OF CITY OWNED PROPERTY NEAR THE INTERSECTION OF MESABA AVENUE AND CENTRAL ENTRANCE TO MARIA A. IALLONARDO FOR \$20,757.

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COUNCILOR QUESTIONS AND COMMENTS

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