

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, December 17, 2007, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - September 10, 13 and 24, 2007.

PUBLIC HEARING - 7:00 p.m. - 2008 Alcoholic Beverage License Fees (07-0723R).

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

* 07-1217-01 Minnesota state auditor audit report for Spirit Mountain recreation area authority for the years ended April 30, 2007 and 2006. -- Received

* 07-1217-02 The following communications regarding proposed resolution requesting the state legislature to repeal the restriction on intoxicating liquor licenses in the Lakeside area (07-0772R): (a) Rick and Mollie Biggs; (b) Darik Carlson; (c) Raymond Cayemberg; (d) Aura and Antonino Coppola; (e) Julie Engen; (f) Darlene Marshall; (g) Paige Mellinger; (h) Don and Jeanne Mendoza; (i) Chris Nilsen; (j) Peggy White. -- Received

REPORTS FROM THE ADMINISTRATION

- Retiree healthcare benefits

REPORTS FROM OTHER OFFICERS

* 07-1217-03 Assessor letter of sufficiency of petition to reclassify from R-1 to C-5 in the 500 block of West Central Entrance. -- Received

* 07-1217-04 Parks and recreation department director minutes of Lake Superior zoological society October 24, 2007, meeting. -- Received

REPORTS OF BOARDS AND COMMISSIONS

* 07-1217-05 Commission on disabilities minutes of November 7, 2007, meeting. -- Received

* 07-1217-06 Housing and redevelopment authority of Duluth minutes of August 28, 2007, meeting. -- Received

* 07-1217-07 Library board minutes of: (a) September 25; (b) October 23, 2007, 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
- Pet licensing and registration

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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RESOLUTIONS TABLED

COMMITTEE 1

BY COUNCILOR STEWART (FINANCE)

07-0723R - RESOLUTION ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2008.
(TABLED 11/13 FOR 12/17 PUBLIC HEARING)
(REPLACEMENT)

COMMITTEE 3

BY COUNCILORS JOHNSON, STEWART, KRAUSE AND LITTLE

07-0772R - RESOLUTION REQUESTING THAT THE LEGISLATURE OF THE STATE OF MINNESOTA REPEAL THE RESTRICTION ON THE ISSUANCE OF INTOXICATING LIQUOR LICENSES IN THAT PORTION OF THE TERRITORY OF THE CITY OF DULUTH FORMERLY INCORPORATED AS THE CITY OF LAKESIDE AND ANNEXED BY THE CITY OF DULUTH. (TABLED 12/3 FOR PUBLIC INPUT)

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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)

07-0755R - RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL LABOR AGREEMENT WITH THE CITY OF DULUTH SUPERVISORY ASSOCIATION. (REPLACEMENT)

07-0780R - RESOLUTION AUTHORIZING ISSUANCE OF PROCUREMENT CARDS TO CITY EMPLOYEES FOR MAKING CITY PURCHASES.

NEW 07-0784R - RESOLUTION ALLOCATING \$100,000 ADDITIONAL FUNDS TO THE GREATS LAKES AQUARIUM AND DISTRIBUTING THE ESTIMATED 2008 TOURISM TAXES OF HOTEL-MOTEL AND FOOD AND BEVERAGE.

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

07-0797R - RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO ELK'S LODGE #133 AND CLIMB THEATRE.

07-0812R - RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH BLUE CROSS AND BLUE SHIELD OF MINNESOTA TO PROVIDE ADMINISTRATIVE SERVICES AND STOP LOSS INSURANCE TO THE CITY GROUP HEALTH PLAN DURING YEAR 2008 AT AN ESTIMATED TOTAL COST TO THE CITY OF \$1,118,085.

BY COUNCILOR GILBERT (PERSONNEL)

07-0787R - RESOLUTION CONFIRMING THE APPOINTMENT OF ROBERT AHO TO THE HERITAGE PRESERVATION COMMISSION, REPLACING ROBERT HEWITT.

07-0790R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE PAY RANGE FOR THE CIVIL SERVICE CLASSIFICATION OF CITY ARCHITECT.

07-0802R - RESOLUTION APPOINTING ERIC TORCH TO ST. LOUIS COUNTY HEADING HOME IMPLEMENTATION COMMITTEE.

07-0805R - RESOLUTION CONFIRMING THE APPOINTMENT OF DANIEL MARKHAM TO THE DULUTH LEGACY ENDOWMENT FUND PROJECT GROUP, REPLACING KAY ROSS.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-0798R - RESOLUTION AUTHORIZING APPLICATION FOR AND, IF APPROVED, THE ACCEPTANCE OF A COASTAL MANAGEMENT PROGRAM GRANT FROM MINNESOTA DNR, DIVISION OF WATERS, AOFR COASTAL MANAGEMENT EDUCATION PURPOSES IN THE AMOUNT OF \$73,000 AND COMMITTING LOCAL SHARE.

07-0810R - RESOLUTION ACCEPTING A CERTIFIED LOCAL GOVERNMENT GRANT OF \$800 FROM THE MINNESOTA STATE HISTORICAL SOCIETY AND A LOCAL MATCH OF \$800 WORTH OF IN-KIND SERVICES FROM THE HERITAGE PRESERVATION COMMISSION (HPC) FOR HPC MEMBERS TO ATTEND THE 2007 NATIONAL TRUST CONFERENCE.

BY COUNCILOR NESS (INTERGOVERNMENTAL RELATIONS)

07-0808R - RESOLUTION IN SUPPORT OF A GRANT APPLICATION IN THE AMOUNT OF \$4,000 TO MINNESOTA'S LAKE SUPERIOR COASTAL PROGRAM FOR MATCHING FUNDS TO COMPLETE A GREENHOUSE GAS EMISSIONS INVENTORY.

COMMITTEE 3

BY COUNCILOR JOHNSON (PUBLIC WORKS & UTILITIES)

07-0769R - RESOLUTION AMENDING RESOLUTION 06-0663 AND INCREASING THE PROFESSIONAL ENGINEERING SERVICES CONTRACT 20251 WITH SALO ENGINEERING, INC., BY \$5,875.93, FOR A NEW TOTAL OF \$16,174.94.

COMMITTEE 3

BY COUNCILOR JOHNSON (PUBLIC WORKS & UTILITIES)

07-0786R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTINUE THE CONTRACT WITH KTM PAVING, INC., FOR THE SNOWPLOWING OF MUNICIPAL PARKING LOTS AND RAMPS AS NEEDED DURING THE 2007-2008 WINTER SEASON AT AN ESTIMATED AMOUNT OF \$30,000.

07-0788R - RESOLUTION AUTHORIZING A SECOND AMENDMENT TO CONTRACT NO. C-19990 WITH LHB ENGINEERS AND ARCHITECTS, INC., FOR CONSTRUCTION ENGINEERING SERVICES FOR THE AERIAL LIFT BRIDGE IN THE AMOUNT OF \$149,919.

NEW 07-0789R - RESOLUTION AWARDED A CONTRACT TO RAINBOW, INC. FOR PAINTING AND GENERAL STRUCTURAL REHABILITATION OF THE AERIAL LIFT BRIDGE, BRIDGE NO. L6116, LOCATED ON MSAS 140 (LAKE AVENUE), IN THE AMOUNT OF \$2,019,230.

07-0795R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH MACQUEEN EQUIPMENT, INC., FOR THE PURCHASE AND DELIVERY OF A 2008 ELGIN PELICAN MODEL NS STREET SWEEPER IN THE AMOUNT OF \$163,800.20.

07-0806R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH MTI DISTRIBUTING, INC., FOR THE PURCHASE AND DELIVERY OF A TORO GROUNDSMASTER MOWER IN THE AMOUNT OF \$29,387.28.

07-0807R - RESOLUTION AUTHORIZING A MASTER PARTNERSHIP AGREEMENT WITH MNDOT TO COOPERATIVELY PROVIDE ROADWORK SERVICES.

BY COUNCILOR LITTLE (PUBLIC SAFETY)

07-0771R - RESOLUTION AUTHORIZING AN AGREEMENT WITH ST. LOUIS COUNTY AND THE DULUTH AIRPORT AUTHORITY REGARDING THE COMMUNICATIONS TOWER, CERTAIN ANTENNAS AND ASSOCIATED EQUIPMENT AT THE CURRENT 911 COMMUNICATIONS FACILITY SITE.

07-0781R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH ICOP DIGITAL, INC., FOR THE PURCHASE AND DELIVERY OF IN-CAR DIGITAL VIDEO SURVEILLANCE EQUIPMENT FOR A TOTAL AMOUNT OF \$65,154.02.

07-0791R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH BAYLY COMMUNICATIONS, INC., FOR THE PURCHASE OF A T1 OMNIPLEXER SYSTEM FOR THE DULUTH POLICE EMERGENCY OPERATIONS CENTER (EOC), FOR A TOTAL ESTIMATED AMOUNT OF \$25,414.78.

07-0792R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH MICROWAVE NETWORKS FOR THE PURCHASE OF MICROWAVE COMMUNICATIONS EQUIPMENT FOR THE DULUTH POLICE EMERGENCY OPERATIONS CENTER (EOC), FOR A TOTAL ESTIMATED AMOUNT OF \$143,142.39.

07-0793R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA, DEPARTMENT OF PUBLIC SAFETY, IN THE AMOUNT OF \$12,000 TO CONDUCT INCREASED IMPAIRED AND DRUNK DRIVING ENFORCEMENT.

07-0803R - RESOLUTION APPROVING AGREEMENT TO PROVIDE FIRE SERVICES TO THE TOWN OF SUPERIOR IN THE AMOUNT OF \$4,200 PER YEAR.

COMMITTEE 3

BY COUNCILOR REINERT (RECREATION, LIBRARIES & AUTHORITIES)

07-0777R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONTRACT WITH J.R. JENSEN CONSTRUCTION COMPANY FOR THE RENOVATION OF THE MAIN LIBRARY IN THE AMOUNT OF \$546,000.

07-0778R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONTRACT WITH TARGET COMMERCIAL INTERIORS FOR THE FURNISHING AND INSTALLATION OF CONTRACT LOUNGE SEATING AT THE MAIN LIBRARY IN THE AMOUNT OF \$66,067.49.

07-0783R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A LEASE AGREEMENT WITH ST. JAMES HOME OF DULUTH INC., D/B/A WOODLAND HILLS, FOR SPACE AT THE WASHINGTON RECREATION CENTER FOR ITS PROGRAM ACTIVITIES.

07-0796R - RESOLUTION APPROVING A GRANT AGREEMENT WITH THE STATE OF MINNESOTA DEPARTMENT OF NATURAL RESOURCES COASTAL PROGRAM FOR \$97,726 TO BE USED FOR PHASE II TRAIL DESIGN AND CONSTRUCTION OF THE GRASSY POINT TRAIL ON GRASSY POINT.

07-0800R - RESOLUTION AUTHORIZING PROPER CITY OFFICERS TO EXECUTE AN AGREEMENT WITH THE WOODLAND GARDENS ASSOCIATION FOR THE OPERATION OF THE DULUTH SENIOR DINING PROGRAM.

07-0801R - RESOLUTION AUTHORIZING PROPER CITY OFFICERS TO EXECUTE AN AGREEMENT WITH THE HOLY CROSS LUTHERAN CHURCH OF DULUTH HEIGHTS FOR THE OPERATION OF THE DULUTH SENIOR DINING PROGRAM AT A COST OF \$7,860.

07-0809R - RESOLUTION AWARDING CONTRACT TO ST. LOUIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT FOR SERVING MEALS TO ELIGIBLE SENIOR CITIZENS AT THE RAINBOW AND LINCOLN PARK CENTERS FOR APPROXIMATELY \$172,099.

NEW 07-0813R - RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT ADDENDUM WITH THE ARROWHEAD REGIONAL DEVELOPMENT COMMISSION FOR A REDUCTION IN FEDERAL AND NSIP FUNDING OF \$1,528 AND AN INCREASE IN STATE FUNDING OF \$1,738 WHICH WILL INCREASE THE TOTAL AMOUNT OF FUNDS AVAILABLE FOR SENIOR DINING BY \$210, TO NOT EXCEED \$263,061.

NEW 07-0814R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONTRACT WITH EARL F ANDERSON FOR THE FURNISHING AND INSTALLATION ASSISTANCE OF PLAYGROUND APPARATUS PORTLAND SQUARE IN THE AMOUNT OF \$27,088.74.

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR STEWART (FINANCE)

07-0804R - RESOLUTION ACCEPTING DONATION OF \$9,000 FROM CLYDE NARHI TO THE GROUP HEALTH FUND.

COMMITTEE 1

BY COUNCILOR GILBERT (PERSONNEL)

07-0799R - RESOLUTION CONFIRMING THE REAPPOINTMENTS OF MIKE AKERVIK, MELINDA M. APPOLD AND DAVID K. SARVELA TO THE PLANNING COMMISSION.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-0773R - RESOLUTION APPROVING THE 2008 ACTION PLAN PORTION OF THE 2005-2009 CONSOLIDATED PLAN AND AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME PROGRAM AND EMERGENCY SHELTER GRANT (ESG) PROGRAM FUNDS.

07-0774R - RESOLUTION AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2008 PROGRAM YEAR AS WELL AS APPROVING THE REALLOCATION OF CERTAIN PRIOR CDBG FUNDS AND AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES. **(REPLACEMENT)**

07-0775R - RESOLUTION AUTHORIZING A REQUEST FOR HUD HOME FUNDS FOR THE 2008 PROGRAM YEAR, AS WELL AS APPROVING THE REALLOCATION OF CERTAIN PRIOR HOME FUNDS AND AUTHORIZING CONTRACTS.

07-0776R - RESOLUTION AUTHORIZING A REQUEST FOR HUD EMERGENCY SHELTER GRANT PROGRAM (ESGP) FUNDS FOR THE 2008 PROGRAM YEAR, AS WELL AS APPROVING THE REALLOCATION OF CERTAIN PRIOR ESGP FUNDS AND AUTHORIZING CONTRACTS.

COMMITTEE 3

BY COUNCILOR JOHNSON (PUBLIC WORKS & UTILITIES)

07-0782R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH JOHNSON CONTROLS, INC., FOR THE INSTALLATION OF AN AUTOMATED METER READING SYSTEM (AMRS) FOR WATER AND GAS METERS IN THE AMOUNT OF \$9,565,250. **(REPLACEMENT)**

BY COUNCILOR LITTLE (PUBLIC SAFETY)

07-0767R - RESOLUTION TO DESIGNATE AND ESTABLISH AS A ONE WAY WESTBOUND-ONLY STREET THAT PART OF THE MILLER TRUNK HIGHWAY FRONTAGE ROAD FROM JOSHUA AVENUE TO 130 FEET WESTERLY.

BY COUNCILOR REINERT (RECREATION, LIBRARIES & AUTHORITIES)

07-0811R - RESOLUTION AUTHORIZING AMENDMENT TO VARIOUS GRANT AGREEMENTS, SATISFYING FEDERAL REQUIREMENTS FOR RECREATIONAL LAND USE.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

NEW 07-086-O - AN ORDINANCE AMENDING SECTIONS 45-103 AND 8-54 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO CONCURRENT USE PERMITS FOR EXPANSION OF ALCOHOLIC BEVERAGE SERVING AREAS.

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

COMMITTEE 1

BY COUNCILOR STEWART (FINANCE)

07-079-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2008.

07-080-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH SEAWAY PORT AUTHORITY, FOR THE YEAR 2008.

07-081-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH TRANSIT AUTHORITY, FOR THE YEAR 2008.

07-082-O - AN ORDINANCE SETTING THE BUDGET FOR THE FISCAL YEAR 2008 APPROPRIATION MONIES FOR THE SUPPORT OF THE CITY GOVERNMENT, PUBLIC UTILITIES, AND PUBLIC ENTERPRISE FUNDS AND FOR OTHER PURPOSES.

COMMITTEE 2

BY COUNCILORS STAUBER AND STEWART

07-085-O - AN ORDINANCE AUTHORIZING LICENSING OF UNLEASHED DOGS TO USE DESIGNATED AREAS AND TRAILS AMENDING SECTION 6-36 OF THE DULUTH CITY CODE, 1959, AS AMENDED AND ADDING NEW SECTIONS 6-36.1, 6-36.2 AND 6-36.3 TO ARTICLE IV OF CHAPTER 6 THEREOF.

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COUNCILOR QUESTIONS AND COMMENTS

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