

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT 2

Monday, April 23, 2012, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - February 27, 2012.

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MISSION STATEMENT: The mission of the Duluth City Council is to develop effective public policy rooted in citizen involvement that results in excellent municipal services and creates a thriving community prepared for the challenges of the future.

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TOOLS OF CIVILITY: 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

*12-0423-01 The following communications regarding the proposed rezoning of 1750 Kenwood Avenue (12-019-O): (a) Tucker Hanlon; (b) Trista Miner; (c) Anna Pulles. -- Received

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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

*12-0423-02 Clerk application for exempt permit (raffles) to the Minnesota gambling control board from Duluth Amateur Hockey Association on January 11, 2013. -- Received

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REPORTS OF BOARDS AND COMMISSIONS

*12-0423-03 Commission on disabilities minutes of March 7, 2012, meeting. -- Received

*12-0423-04 Duluth public arts commission minutes of February 27, 2012, meeting. -- Received

*12-0423-05 Duluth transit authority income statement of January 2012. -- Received

*12-0423-06 Special assessment board gravel streets and alley assessment policy. -- Received

* Listed only, not copied.

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REPORTS OF COUNCIL COMMITTEES

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REPORTS OF COUNCIL OPEN ISSUES

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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RESOLUTION TABLED

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-0165R - RESOLUTION ADOPTING THE HIGHER EDUCATION SMALL AREA PLAN AND AMENDING THE COMPREHENSIVE PLAN - FUTURE LAND USE MAP IN THREE LOCATIONS (HIGHER EDUCATION SMALL AREA PLAN AND HIGHER EDUCATION FUTURE LAND USE). (AMENDMENT) (TABLED 4/9)

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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 KRUG (FINANCE)

12-0209R - RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF TAXABLE GENERAL OBLIGATION AIRPORT IMPROVEMENT BONDS, SERIES 2012B.

12-0212R - RESOLUTION APPROVING THE BUDGET FOR THE FISCAL YEAR MAY 1, 2012, TO APRIL 30, 2013, IN THE AMOUNT OF \$5,454,720 FOR THE SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

12-0194R - RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF PDL OF DULUTH, INC. (CLUB SARATOGA), 331 CANAL PARK DRIVE, AND APPROVING THE TEMPORARY EXPANSION AND DANCING LICENSE OF GRANDMA'S, INC. (GRANDMA'S SALOON & DELI), 522 LAKE AVENUE SOUTH.

12-0195R - RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE LICENSED PREMISES OF THE ON SALE INTOXICATING LIQUOR LICENSE OF THE DULUTH ENTERTAINMENT CONVENTION CENTER.

12-0196R - RESOLUTION APPROVING THE ISSUANCE OF ON SALE 3.2 PERCENT MALT LIQUOR LICENSE RENEWALS FOR THE PERIOD BEGINNING MAY 1, 2012, AND ENDING APRIL 30, 2013.

12-0197R - RESOLUTION APPROVING THE ISSUANCE OF OFF SALE 3.2 PERCENT MALT LIQUOR LICENSE RENEWALS FOR THE PERIOD BEGINNING MAY 1, 2012, AND ENDING APRIL 30, 2013.

12-0198R - RESOLUTION RECOMMENDING APPROVAL OF THE CONSUMPTION AND DISPLAY LICENSE RENEWALS OF THE ORDER OF THE OWLS, DULUTH NEST #1200 AND DULUTH WOMAN'S CLUB FOR THE PERIOD BEGINNING APRIL 1, 2012, AND ENDING MARCH 31, 2013.

12-0207R - RESOLUTION AUTHORIZING A PROPRIETARY CONTRACT WITH ENVENTIS TELECOM, INC., FOR SOFTWARE AND HARDWARE MAINTENANCE OF THE CISCO SMARTNET SYSTEM DURING FISCAL YEAR 2012 IN THE AMOUNT OF \$40,469.67.

COMMITTEE 1

BY COUNCILOR BOYLE

(PERSONNEL)

12-0199R - RESOLUTION CONFIRMING THE APPOINTMENT OF MARCIA A. PODRATZ TO THE SANITARY SEWER BOARD OF THE WLSSD, REPLACING ROBERT PRUSAK.

12-0202R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF POLICE RECORDS TECHNICIAN I AND SPECIFYING CONTRACT BENEFITS FOR SAME.

12-0203R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF POLICE RECORDS TECHNICIAN II AND SPECIFYING CONTRACT BENEFITS FOR SAME.

12-0205R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF UTILITY OPERATIONS PROGRAM COORDINATOR AND SPECIFYING CONTRACT BENEFITS FOR SAME.

COMMITTEE 2

BY COUNCILOR STAUBER

(PLANNING & ECONOMIC DEVELOPMENT)

12-0200R - RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DULUTH ENERGY EFFICIENCY PROGRAM AGREEMENT WITH EQUILIBRIUM3, EXTENDING THE TERM AN ADDITIONAL SIX MONTHS.

12-0215R - RESOLUTION APPROVING A DONATION AGREEMENT WITH THE NATURE CONSERVANCY ACCEPTING LAND IN THE UPPER SMITHVILLE AREA AT NO COST.

12-0218R - RESOLUTION AUTHORIZING APPLICATION OF A STATE OF MINNESOTA CONTAMINATION CLEAN-UP GRANT RELATED TO THE BLUMBERG-1831, LLC, PROJECT.

COMMITTEE 3

BY COUNCILOR JULSRUD

(PUBLIC WORKS & UTILITIES)

12-0206R - RESOLUTION REVISING THE LIST OF HIGH PRIORITY BRIDGES IN THE CITY OF DULUTH.

12-0213R - RESOLUTION AUTHORIZING AGREEMENT TO PETITION FOR STREET IMPROVEMENTS WITH WDIO-TV LLC FOR IMPROVEMENT OF STREETS IN ANTENNA FARM.

BY COUNCILOR FOSLE

(PUBLIC SAFETY)

12-0201R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA, DEPARTMENT OF PUBLIC SAFETY, HOMELAND SECURITY AND EMERGENCY MANAGEMENT, IN THE TOTAL AMOUNT OF \$126,414 FOR NATIONAL INCIDENT MANAGEMENT SYSTEM TRAINING.

12-0208R - RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, OFFICE OF JUSTICE PROGRAMS, IN AN AMOUNT NOT TO EXCEED \$21,249.75 AND A GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$34,846.00, FOR THE PURCHASE OF BALLISTIC VESTS.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

12-0211R - RESOLUTION AUTHORIZING A CONTRACT WITH MOTOROLA SOLUTIONS, INC., FOR THE PURCHASE AND DELIVERY OF MOBILE RADIOS AND RELATED ACCESSORIES/EQUIPMENT FOR THE DULUTH FIRE AND POLICE DEPARTMENTS IN THE AMOUNT OF \$1,020,592.14.

12-0214R - RESOLUTION AUTHORIZING A CONTRACT WITH MICROWAVE NETWORKS, INC., FOR THE PURCHASE AND DELIVERY OF TWO PROTEUS AMT MICROWAVE RADIO TERMINALS WITH RELATED EQUIPMENT IN THE AMOUNT OF \$194,660.

12-0216R - RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY (DEDA) TO CLARIFY EACH PARTY'S RIGHTS AND OBLIGATIONS UNDER THE PARKING MANAGEMENT AGREEMENT AMONG THE CITY, DEDA AND INTERSTATE PARKING COMPANY OF MINNESOTA, LLC (INTERSTATE).

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILORS KRUG AND JULSRUD

12-0221R - RESOLUTION ESTABLISHING CIVIL SERVICE REFORM WORKING GROUP TO MODIFY FORMER CIVIL SERVICE REFORM WORKING GROUP CREATED BY RESOLUTION NO. 12-0130.

BY COUNCILOR BOYLE (PERSONNEL)

12-0204R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF SENIOR POLICE RECORDS TECHNICIAN AND SPECIFYING CONTRACT BENEFITS FOR SAME

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-0210R - RESOLUTION AUTHORIZING A SERVICE AGREEMENT WITH THE DULUTH SUPERIOR AREA COMMUNITY FOUNDATION RELATED TO THE COMMUNITY PARKS AND RECREATION PROGRAM.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

12-0217R - RESOLUTION OF INTENT TO CONSTRUCT PUBLIC SANITARY SEWER MAIN AND SERVICES ON LIVINGSTON AVENUE AND TO ASSESS A PORTION OF THE COSTS THEREOF.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

12-0219R - RESOLUTION REQUESTING CITY ADMINISTRATION INCLUDE THE NAMES AND CONTACT INFORMATION OF DULUTH PUBLIC UTILITIES COMMISSION MEMBERS ON THE CITY'S WEBSITE AND IN UTILITY BILL MAILINGS. **(REPLACEMENT)**

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-024-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM MIXED USE-BUSINESS PARK (MU-B) TO RESIDENTIAL-TRADITIONAL (R-1) THE PROPERTY LOCATED AT 4526 AND 4528 REGENT STREET (DAWN STRUMBEL AND DANIEL ROMSA).

12-025-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM RESIDENTIAL-TRADITIONAL (R-1) TO MIXED USE NEIGHBORHOOD (MU-N) THE PROPERTY LOCATED AT 1819 AND 1831 EAST EIGHTH STREET (CARLA BLUMBERG-1831 LLC).

12-026-O - AN ORDINANCE AMENDING SECTIONS 50-19.8, 50-20.3, 50-22.1, 50-24.4, 50-24.6, 50-25.1, 50-25.2, 50-25.8, 50-26.1, 50-26.4, 50-30.5, 50-31.3, 50-37.1, 50-37.6 AND 50-37.9, AND ADDING SECTION 50-26.5, OF CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO REVISIONS OF THE UNIFIED DEVELOPMENT CHAPTER.

12-027-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM MU-C, MIXED USE-COMMERCIAL, TO FORM DISTRICTS, MID-RISE COMMUNITY SHOPPING/OFFICE (F-5), DOWNTOWN SHOPPING (F-7) AND DOWNTOWN MIX (F-8), THE DOWNTOWN BUSINESS DISTRICT, THE PROPERTY LOCATED FROM MESABA AVENUE TO NORTH NINTH AVENUE EAST AND FROM MICHIGAN STREET TO THE ALLEY ABOVE SECOND STREET (CITY OF DULUTH).

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-018-O - AN ORDINANCE REPEALING ARTICLE X OF CHAPTER 45 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO PERMITS FOR THE CONCURRENT USE OF STREETS.

12-019-O - ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50, OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM R-1, RESIDENTIAL-TRADITIONAL, TO R-2, URBAN-RESIDENTIAL, ON THE WEST PORTION OF THE PROPERTY LOCATED AT 1750 KENWOOD AVENUE (CARLSON).

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-020-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50, OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM R-1, RESIDENTIAL-TRADITIONAL, TO R-P, RESIDENTIAL-PLANNED, APPROXIMATELY 20 ACRES LAND LYING SOUTH OF HULETT AVENUE, EAST OF 93RD AVENUE WEST, AND NORTHWEST OF SPIRIT LAKE TRANSFER RAILWAY (RAPID RIVER DEVELOPMENT, LLC).

12-021-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50, OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM R-1, RESIDENTIAL-TRADITIONAL, AND R-2, RESIDENTIAL-URBAN, TO R-P, RESIDENTIAL-PLANNED, AT THE WOODLAND MIDDLE SCHOOL SITE AT 201 CLOVER STREET (VILLAGE CENTER AND BLUESTONE COMMONS DEVELOPMENT).

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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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