

# AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, July 16, 2012, 7:00 p.m.

## ROLL CALL

## PLEDGE OF ALLEGIANCE

**APPROVAL OF MINUTES** -- March 12 and 26; April 5, 9 and 23; May 10 and 14, 2012.

- - -

*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.*

- - -

*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]*

- - -

## PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

\*12-0716-01 Minnesota state auditor management and compliance reports for the year ended December 31, 2011, of the: (a) City of Duluth; (b) Duluth economic development authority. -- Received

- - -

## REPORTS FROM THE ADMINISTRATION

- - -

## REPORTS FROM OTHER OFFICERS

\*12-0716-02 Auditor comprehensive annual financial report for the city of Duluth for the fiscal year ended December 31, 2011. -- Received

\*12-0716-03 Clerk applications for exempt permits to the Minnesota gambling control board from: (a) Duluth East Athletic Association on May 6, 2013 (raffle); (b) St. Michael's Church on October 21, 2012 (bingo, raffle). -- Received

\*12-0716-04 Purchasing agent emergency order of flood-related repairs totaling \$1,556,538 as of June 28, 2012. -- Received

- - -

## REPORTS OF BOARDS AND COMMISSIONS

\*12-0716-05 Commission on disabilities minutes of May 2, 2012, meeting. -- Received

\*12-0716-06 Housing and redevelopment authority minutes of April 24, 2012, meeting. -- Received

\*12-0716-07 Library board minutes of May 22, 2012, meeting. -- Received

---

\* Listed only, not copied.

- - -

## REPORTS OF COUNCIL COMMITTEES

- - -

## REPORTS OF COUNCIL OPEN ISSUES

- - -

## OPPORTUNITY FOR CITIZENS TO BE HEARD

- - -

**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)**

12-0362R - RESOLUTION ADOPTING MODEL PERFORMANCE MEASURES FOR CITY PARTICIPATION IN THE STATE OF MINNESOTA PERFORMANCE MEASUREMENTS PROGRAM.

12-0365R - RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF DULUTH AND LAW ENFORCEMENT LABOR SERVICES LOCAL 363 FOR THE YEARS 2012-2014.

**BY COUNCILOR KRAUSE**

**(PURCHASING & LICENSING)**

12-0346R - RESOLUTION AUTHORIZING A CONTRACT WITH CRYSTEEL TRUCK EQUIPMENT FOR EQUIPMENT AND LABOR NEEDED IN THE COMPLETE OUTFITTING OF TWO NEW INTERNATIONAL HARVESTER CAB AND CHASSIS UNITS IN THE AMOUNT OF \$113,115.88.

12-0350R - RESOLUTION ISSUING A TEMPORARY ON SALE 3.2 MALT LIQUOR LICENSE TO DULUTH SOFTBALL PLAYERS ASSOCIATION, WHEELER FIELD.

12-0351R - RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSES OF VARIOUS LICENSEES.

12-0352R - RESOLUTION ISSUING AN ON SALE 3.2 PERCENT MALT LIQUOR LICENSE AND APPROVING ISSUANCE OF AN ON SALE WINE LICENSE TO UP NORTH TAPS, LLC, (7 WEST TAP HOUSE), 7 WEST SUPERIOR STREET.

12-0353R - RESOLUTION ISSUING AN ON SALE INTOXICATING LIQUOR LICENSE, ON SALE SUNDAY LICENSE AND APPROVING ISSUANCE OF A 2:00 A.M. BEVERAGE LICENSE AND OFF SALE BREWERY MALT LIQUOR LICENSE TO CANAL PARK BREWING COMPANY, LLC, (CANAL PARK BREWING COMPANY), 300 CANAL PARK DRIVE.

12-0358R - RESOLUTION AUTHORIZING A BLANKET INCREASE OF \$25,000 IN YEAR 2012 TO CONTRACT C21296 WITH ESSENTIA HEALTH DULUTH CLINIC FOR ADMINISTERING OCCUPATIONAL MEDICAL TESTS AND SERVICES FOR A TOTAL ANNUAL AMOUNT OF \$50,000.

12-0359R - RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT NO. C21423 WITH ARCHITECTURAL RESOURCES, INC., FOR DESIGN AND PROJECT MANAGEMENT SERVICES TO COMPLETE THE PROJECT THAT ENCOMPASSES THE MIS SERVER ROOM AIR CONDITIONING UNIT REPLACEMENT, SWITCH CLOSET RELOCATIONS, RE-CABLING AND NECESSARY ELECTRICAL WORK, INCREASING THE AMOUNT PAYABLE BY \$18,000 FOR A TOTAL CONTRACT AMOUNT OF \$42,000. **(REPLACEMENT)**

**COMMITTEE 1**

**BY COUNCILOR BOYLE (PERSONNEL COMMITTEE)**

12-0363R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF ASSESSOR OFFICE DATA COORDINATOR AND SPECIFYING CONTRACT BENEFITS FOR SAME.

**COMMITTEE 2**

**BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)**

12-0348R - RESOLUTION AUTHORIZING A NON-DISTURBANCE AND ATTORNMENT AGREEMENT WITH AAR AIRCRAFT SERVICES, INC., FOR THE MRO FACILITY LEASE.

**NEW** 12-0368R - RESOLUTION AMENDING THE 2012 FEE SCHEDULE; ADDING A VARIANCE FEE FOR STRUCTURES LOCATED IN FLOOD FRINGE AREAS AND NEEDING FLOOD RELATED REPAIRS.

**NEW** 12-0369R - RESOLUTION AUTHORIZING A REDEVELOPMENT APPLICATION TO THE STATE OF MINNESOTA FOR THE 425W REDEVELOPMENT PROJECT.

**BY COUNCILOR GARDNER (INTERGOVERNMENTAL RELATIONS)**

12-0355R - RESOLUTION ENTERING INTO AN AGREEMENT ACCEPTING A GRANT OF \$65,924.00 FROM SENIOR SERVICE AMERICA, INC., TO OPERATE THE SENIOR AIDES PROGRAM FROM JULY 1, 2012, THROUGH SEPTEMBER 30, 2012.

**BY PRESIDENT HARTMAN (COMMITTEE OF THE WHOLE)**

12-0332R - RESOLUTION APPOINTING ELECTION JUDGES FOR THE AUGUST 14, 2012, STATE PRIMARY ELECTION AND THE NOVEMBER 6, 2012, STATE GENERAL ELECTION.

**COMMITTEE 3**

**BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)**

12-0292R - RESOLUTION AUTHORIZING A REQUEST TO MN/DOT TO PROVIDE ADVANCE FUNDING FROM THE STATE AID REGULAR/MUNICIPAL CONSTRUCTION ACCOUNT FOR THE RECONSTRUCTION OF OXFORD STREET, LIVINGSTON AVENUE AND GLENWOOD STREET FROM WOODLAND AVENUE TO SNIVELY ROAD IN THE AMOUNT OF \$2,280,681.95.

12-0342R - RESOLUTION AWARDED A CONTRACT TO VEIT & COMPANY, INC., FOR EXCAVATION AND DISPOSAL OF FLOCCULATED SOLIDS FROM THE FIVE SETTLING LAGOONS LOCATED AT THE LAKEWOOD WATER TREATMENT PLANT IN THE AMOUNT OF \$843,200.

12-0344R - RESOLUTION AUTHORIZING A PROPRIETARY ANNUAL CONTRACT WITH DAKOTA SUPPLY GROUP, INC., FOR THE PURCHASE AND DELIVERY OF BADGER WATER METERS DURING YEAR 2012 FOR A TOTAL OF \$45,304.32.

12-0345R - RESOLUTION AUTHORIZING A PROPRIETARY ANNUAL CONTRACT WITH DAKOTA SUPPLY GROUP, INC., FOR THE PURCHASE AND DELIVERY OF ITRON GAS ERT METERS DURING YEAR 2012 FOR A TOTAL OF \$25,329.38.

**COMMITTEE 3**

**BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)**

12-0354R - RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR ENGINEERING SERVICES FOR WESTGATE BOULEVARD FLOOD-DAMAGED UTILITY AND STREET REPAIRS IN THE AMOUNT OF \$72,000.

12-0356R - RESOLUTION AWARDED A CONTRACT TO HOVLAND, INC., FOR THE 2012 CITYWIDE SIDEWALK REPAIR/REPLACEMENT PROJECT IN THE AMOUNT OF \$46,875.

12-0357R - RESOLUTION AUTHORIZING A CONTRACT WITH LHB, INC., FOR ENGINEERING SERVICES TO STABILIZE FLOOD-DAMAGED SLOPES ALONG SEVEN BRIDGES ROAD IN THE AMOUNT OF \$60,724.

12-0360R - RESOLUTION AUTHORIZING PARTICIPATION IN THE NATURAL RESOURCES CONSERVATION SERVICE EMERGENCY WATERSHED PROTECTION PROGRAM AND COMMITTING LOCAL MATCH.

12-0361R - RESOLUTION AUTHORIZING AN AGREEMENT WITH SEH, INC., FOR ENGINEERING SERVICES FOR FLOOD-DAMAGED SLOPE STABILIZATION ON CHESTER PARK DRIVE IN THE AMOUNT OF \$29,440.

12-0364R - RESOLUTION ACCEPTING A GRANT FROM THE DULUTH SUPERIOR AREA COMMUNITY FOUNDATION IN THE AMOUNT OF \$5,000 FOR THE PROJECT ENTITLED COMMUNITY-WIDE LOCAL ENERGY ACTION PLAN TECHNICAL ASSISTANCE.

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

**NEW** 12-0367R - RESOLUTION AUTHORIZING CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES IN WEST DULUTH IN CONJUNCTION WITH SPIRIT VALLEY DAYS AND SUBJECT TO CERTAIN CONDITIONS.

END OF CONSENT AGENDA

---

The following entitled resolution is also for consideration at this meeting:

**COMMITTEE 1**

**BY COUNCILOR BOYLE (PERSONNEL)**

**NEW** 12-0370R - RESOLUTION CONFIRMING THE APPOINTMENT OF GABRIEL PELTIER TO THE AMERICAN INDIAN COMMISSION, REPLACING DONNA BLUE BIRD.

---

**INTRODUCTION AND CONSIDERATION OF ORDINANCES**

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

**COMMITTEE 1**

**BY COUNCILOR KRUG (FINANCE)**

12-038-O - AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION REVENUE BONDS OR NOTE OF THE CITY OF DULUTH IN THE MAXIMUM AGGREGATE AMOUNT OF \$1,000,000 FOR THE IMPROVEMENT OF THE MUNICIPAL SEWER UTILITY UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTION OF THE CITY COUNCIL AND PLEDGING REVENUES FOR THE PAYMENT THEREOF.

**COMMITTEE 2**

**BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)**

12-046-O - AN ORDINANCE AUTHORIZING SETTING BUILDING PERMIT FEES BY RESOLUTION AND AUTHORIZING REDUCTION THEREOF FOR FLOOD DAMAGE REPAIR, AMENDING SECTION 10-2 TO THE DULUTH CITY CODE, 1959, AS AMENDED.

- - -

**COUNCILOR QUESTIONS AND COMMENTS**

- - -

**COUNCILOR PREVIEW OF UPCOMING BUSINESS**

- - -