

**AGENDA FOR THE DULUTH CITY COUNCIL MEETING**

**REPLACEMENT**

Monday, August 27, 2012, 7:00 p.m.

**ROLL CALL  
PLEDGE OF ALLEGIANCE**

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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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**REPORTS FROM THE ADMINISTRATION**

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**REPORTS FROM OTHER OFFICERS**

\*12-0827-01 Clerk applications for exempt permits (raffles) to the Minnesota gambling control board from: (a) Essentia Health-Duluth on November 9, 2012; (b) Essentia Health-St. Mary's Medical Center on November 9, 2012. -- Received

\*12-0827-02 Purchasing agent emergency order hiring Adjusters International as a consultant in disaster management and recovery. -- Received

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**REPORTS OF BOARDS AND COMMISSIONS**

\*12-0827-03 Duluth economic development authority minutes of: (a) June 12, 2012; (b) June 27, 2012; (c) July 9, 2012, meetings. -- Received

\*12-0827-04 Duluth parking commission: (a) Minutes of June 11, 2012; (b) Resolutions: (1) Prohibiting daytime parking on the north side of St. Benedict Street across from the Walgreens parking lot entrance/exit (2012-14); (2) Creating a handicapped accessible space on the south side of West First Street in front of the entrance to the Minnesota WorkForce Center (2012-15); (3) Adding new parking meters and converting existing meters to 12 hour time limits in the St. Luke's Hospital vicinity (2012-16). -- Received

\*12-0827-05 Duluth Seaway Port authority summary budget of March 2012. -- Received

\*12-0827-06 Spirit Mountain recreation area authority minutes of June 21, 2012, meeting. -- Received

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\* Listed only, not copied.

**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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**RESOLUTIONS TABLED**

**COMMITTEE 1**

**BY COUNCILOR KRUG**

**(FINANCE)**

12-0392R - RESOLUTION TRANSFERRING MONIES TO STREET IMPROVEMENT DEBT SERVICE FUND FROM THE COMMUNITY INVESTMENT TRUST FUND TO CANCEL 2013 DEBT SERVICE TAX LEVY.  
(TABLED 8/13)

**BY COUNCILOR BOYLE**

**(PERSONNEL)**

12-0421R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF EXECUTIVE ASSISTANT.  
(TABLED 8/13)

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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 KRAUSE**

**(PURCHASING & LICENSING)**

12-0378R - RESOLUTION APPROVING RENEWAL AND ISSUANCE OF ON SALE INTOXICATING LIQUOR, ON SALE SUNDAY INTOXICATING LIQUOR, ADDITIONAL BAR, ON SALE DANCING, 2:00 A.M. BEVERAGE LICENSE AND LATE HOUR ENTERTAINMENT LICENSES FOR THE PERIOD BEGINNING SEPTEMBER 1, 2012, AND ENDING AUGUST 31, 2013.

12-0379R - RESOLUTION APPROVING THE ISSUANCE OF ON SALE WINE RENEWAL LICENSES FOR THE PERIOD BEGINNING SEPTEMBER 1, 2012, AND ENDING AUGUST 31, 2013.

12-0380R - RESOLUTION APPROVING THE ISSUANCE OF ON SALE CLUB LIQUOR RENEWAL LICENSES FOR THE PERIOD BEGINNING SEPTEMBER 1, 2012, AND ENDING AUGUST 31, 2013.

12-0381R - RESOLUTION APPROVING THE ISSUANCE OF OFF SALE INTOXICATING LIQUOR RENEWAL LICENSES FOR THE PERIOD BEGINNING SEPTEMBER 1, 2012, AND ENDING AUGUST 31, 2013.

12-0382R - RESOLUTION APPROVING THE ISSUANCE OF BREWERY MALT LIQUOR OFF SALE INTOXICATING LIQUOR RENEWAL LICENSES FOR THE PERIOD BEGINNING SEPTEMBER 1, 2012, AND ENDING AUGUST 31, 2013.

12-0417R - RESOLUTION AUTHORIZING CITY OFFICIALS TO ENTER INTO A FIVE-YEAR CONTRACT WITH VISUAL COMPUTER SOLUTIONS, INC., FOR THE PURCHASE AND INSTALLATION OF A TIME AND ATTENDANCE SYSTEM IN THE AMOUNT OF \$241,340.36.

12-0424R - RESOLUTION AUTHORIZING AN ANNUAL CONTRACT WITH GOVCONNECTION, INC., FOR THE PURCHASE AND DELIVERY OF COMPUTER LAPTOP REPLACEMENTS AND ACCESSORIES AS NEEDED IN YEAR 2012 FOR AN AMOUNT NOT TO EXCEED THE BUDGET ALLOCATION OF \$99,459.65.

**COMMITTEE 1**

**BY COUNCILOR KRAUSE (PURCHASING & LICENSING)**

12-0431R - RESOLUTION AUTHORIZING AN AGREEMENT WITH ADJUSTERS INTERNATIONAL FOR PROFESSIONAL DISASTER MANAGEMENT CONSULTING SERVICES FOR THE PREPARATION OF, AMONG OTHER THINGS, FEMA (FEDERAL EMERGENCY MANAGEMENT AGENCY) DOCUMENTATION FOR AN AMOUNT NOT TO EXCEED \$200,000.

12-0432R - RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC., FOR PROFESSIONAL ENGINEERING AND ARCHITECTURAL DESIGN SERVICES IN CONSTRUCTION OF A COMMUNICATIONS TOWER AND RADIO TELEMTRY BUILDING ON THE CITY OF DULUTH PARK POINT, FOR AN AMOUNT NOT TO EXCEED \$49,500.

**BY COUNCILOR BOYLE (PERSONNEL COMMITTEE)**

**NEW** 12-0408R - RESOLUTION APPOINTING TONY CUNEO TO THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH.

12-0419R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF INSTRUMENT TECHNICIAN AND SPECIFYING CONTRACT BENEFITS FOR SAME.

12-0420R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF PROPERTY AND EVIDENCE TECHNICIAN.

**COMMITTEE 2**

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

12-0430R - RESOLUTION VACATING PLATTED NIAGARA STREET EAST OF JUNCTION AVENUE AND RETAINING A UTILITY EASEMENT (REGENTS OF THE UNIVERSITY OF MINNESOTA).

12-0435R - RESOLUTION AMENDING THE COMPREHENSIVE LAND USE PLAN - FUTURE LAND USE MAP FOR 1100 WEST GARY STREET.

12-0436R - RESOLUTION GRANTING AN INTERIM USE PERMIT FOR UNIVERSITY OR COLLEGE USE AND PARKING STRUCTURE FOR THE BLUESTONE COMMONS DEVELOPMENT AT 201 CLOVER STREET (VILLAGE CENTER DEVELOPMENT LLC).

12-0443R - RESOLUTION VACATING PLATTED CLOVER STREET WEST OF WOODLAND AVENUE AND RETAINING A UTILITY EASEMENT (REGENTS OF THE UNIVERSITY OF MINNESOTA).

12-0444R - RESOLUTION VACATING PLATTED BAYVIEW AVENUE BETWEEN WORTH STREET AND HALSEY STREET, AND PLATTED HALSEY STREET BETWEEN BAYVIEW AVENUE AND OAKLAND AVENUE, AND RETAINING UTILITY EASEMENT ON BAYVIEW AVENUE (REGENTS OF THE UNIVERSITY OF MINNESOTA).

**COMMITTEE 3**

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

12-0423R - RESOLUTION AMENDING RESOLUTION NO. 12-0264 INCREASING THE NUMBER OF AUTHORIZED AUDITS TO 800 AND INCREASING THE FUNDING THEREFORE BY AN ADDITIONAL \$40,000.

**COMMITTEE 3**

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

12-0396R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$42,370 AND FURTHER AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH ST. LOUIS COUNTY.

12-0425R - RESOLUTION ESTABLISHING ACCESSIBLE PARKING SPACES.

12-0441R - RESOLUTION AUTHORIZING ACCEPTANCE OF "SAFER" GRANT FROM FEMA IN THE AMOUNT OF \$420,582 FOR THE PURPOSE OF FUNDING THREE ADDITIONAL FIREFIGHTER POSITIONS FOR TWO YEARS.

**BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)**

12-0426R - RESOLUTION AUTHORIZING THREE-YEAR LEASE AGREEMENT WITH ST. JAMES HOME OF DULUTH INC., D/B/A WOODLAND HILLS, FOR USE OF SPACE IN THE WASHINGTON RECREATION CENTER.

END OF CONSENT AGENDA

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

**COMMITTEE 1**

**BY COUNCILOR KRUG (FINANCE)**

12-0433R - RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A \$600,175 GENERAL OBLIGATION SEWER UTILITY REVENUE NOTE, SERIES 2012A, AND PROVIDING FOR ITS PAYMENT.

**BY COUNCILOR BOYLE (PERSONNEL)**

**NEW** 12-0371R - RESOLUTION APPOINTING \_\_\_\_\_ TO THE CIVIL SERVICE BOARD, REPLACING ROBERT ZALLAR.

**NEW** 12-0372R - RESOLUTION APPOINTING \_\_\_\_\_ TO THE DULUTH PUBLIC UTILITIES COMMISSION, REPLACING JOHN BRUGGEMAN.

**COMMITTEE 2**

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

12-0405R - RESOLUTION AMENDING RESOLUTION 09-0007, AS AMENDED, RETAINING MAKI AND OVEROM, CHARTERED, INCREASING THE AMOUNT BY \$250,000 FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$1,310,000.

**COMMITTEE 3**

**BY COUNCILORS JULSRUD AND LARSON**

12-0438R - RESOLUTION OF SUPPORT FOR THE LAKE SUPERIOR GOOD FOOD CHARTER.

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**INTRODUCTION AND CONSIDERATION OF ORDINANCES**

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

**COMMITTEE 1**

**BY COUNCILORS BOYLE AND STAUBER**

12-054-O - AN ORDINANCE PROHIBITING SMOKING OF ANY KIND ON LAKEWALK AND REVISING OTHER SMOKING RESTRICTIONS, ADDING NEW SECTION 28-63 AND 28-64 TO CHAPTER 28 OF THE DULUTH CITY CODE, 1959, AS AMENDED, AMENDING SECTION 28-70 AND REPEALING SECTION 34-40 THEREOF.

**COMMITTEE 2**

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

12-053-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1, TO RR-2, R-2, AND MU-N, PROPERTIES LOCATED IN THE KENWOOD NEIGHBORHOOD.

12-055-O - AN ORDINANCE AUTHORIZING THE SALE OF 2,379.7 SQUARE FEET OF PARKLAND IN CONGDON PARK TO JAMES AND MARY ANN MONGE FOR \$11,898.50.

12-056-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 AND R-2 TO TO MU-N, AND R-1 TO MU-C, PROPERTIES IN THE MILLER HILL AREA (CITY OF DULUTH).

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

12-057-O - AN ORDINANCE AMENDING SECTIONS 6-79 AND 6-79.1 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING THE KEEPING OF CHICKENS.

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

**COMMITTEE 1**

**BY COUNCILOR KRAUSE (PURCHASING & LICENSING)**

12-048-O - AN ORDINANCE AMENDING SECTION 10A-5 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO THE SALE OF PULL-TABS.

**COMMITTEE 2**

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

12-047-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-COMMERCIAL, TO FORM DISTRICT 8, DOWNTOWN MIX, THE FOUR PARCELS LOCATED ON THE SOUTHWEST CORNER OF EAST MICHIGAN STREET AND EAST SUPERIOR STREET (CITY OF DULUTH).

**COMMITTEE 2**

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

12-049-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 - NEIGHBORHOOD (MU-N), TO INDUSTRIAL GENERAL (I-G), THE PROPERTY LOCATED AT 1 LAKE AVENUE (CITY OF DULUTH).

12-051-O - AN INTERIM ORDINANCE IMPOSING A MORATORIUM ON POLE SIGNS AND MONUMENT SIGNS PENDING THE ENACTMENT OF AN ORDINANCE AMENDING CHAPTER 50 OF THE LEGISLATIVE CODE RELATING TO THE OFFICIAL CONTROLS REGULATING SIGNS.

**COMMITTEE 3**

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

12-031-O - AN ORDINANCE AUTHORIZING ASSESSING DELINQUENT WATER AND SANITARY SEWER CHARGES AGAINST BENEFITTED PROPERTIES IN CERTAIN CASES, AMENDING SECTION 43-6 OF THE DULUTH CITY CODE, 1959, AS AMENDED, AND ADDING A NEW SECTION 48-15.5 TO THE CODE.  
(REPLACEMENT)

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**COUNCILOR QUESTIONS AND COMMENTS**

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**COUNCILOR PREVIEW OF UPCOMING BUSINESS**

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