

**AGENDA FOR THE DULUTH CITY COUNCIL MEETING**

**REPLACEMENT**

Monday, October 8, 2012, 7:00 p.m.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES** - June 11, 2012.

**PUBLIC HEARING** - 7:00 p.m. - Minnesota Investment Fund Flood Recovery Program Grant Fund Application.

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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**

\*12-1008-01 Hooshang Mehralian petition for North 11th Avenue West watermain extension. -- Assessor

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**REPORTS FROM THE ADMINISTRATION**

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**REPORTS OF BOARDS AND COMMISSIONS**

\*12-1008-02 Commission on disabilities minutes of August 1, 2012, meeting. -- Received

\*12-1008-03 Duluth airport authority minutes of: (a) August 28; (b) September 4, 2012, meetings. -- Received

\*12-1008-04 Duluth economic development authority minutes of August 22, 2012, meeting. -- Received

\*12-1008-05 Duluth transit authority: (a) Minutes of June 27, 2012, meeting; (b) May 2012 income statement. -- Received

\*12-1008-06 Library board minutes of June 26, 2012, meeting. -- Received

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\* 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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**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)**

12-0505R - RESOLUTION ADOPTING A POST-ISSUANCE DEBT COMPLIANCE POLICY.

12-0506R - RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF GENERAL OBLIGATION STREET IMPROVEMENT REFUNDING BONDS, SERIES 2012D.

12-0508R - RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF TAXABLE GENERAL OBLIGATION TAX INCREMENT REFUNDING BONDS, SERIES 2012F.

12-0509R - RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF TAXABLE GENERAL OBLIGATION STEAM UTILITY REVENUE REFUNDING BONDS, SERIES 2012G.

12-0526R - RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF GENERAL OBLIGATION SEWER UTILITY REVENUE REFUNDING BONDS, SERIES 2012E.

**BY COUNCILOR KRAUSE**

**(PURCHASING & LICENSING)**

12-0451R - RESOLUTION AUTHORIZING AN AGREEMENT WITH ARCHITECTURAL RESOURCES, INC., FOR PROFESSIONAL LANDSCAPE ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE NEW DOCK STRUCTURE AND SEAWALL LOCATED ALONG THE BAYWALK IN DULUTH, MINNESOTA, FOR AN AMOUNT NOT TO EXCEED \$39,000.

12-0497R - RESOLUTION AWARDED A CONTRACT TO H&L MESABI COMPANY FOR THE PURCHASE AND DELIVERY OF GRADER BLADES AND WING EDGES FOR A TOTAL OF \$56,136.09.

12-0498R - RESOLUTION AWARDED A CONTRACT TO H&L MESABI COMPANY FOR THE PURCHASE AND DELIVERY OF FLAT PLOW BLADES FOR A TOTAL OF \$57,696.47.

12-0510R - RESOLUTION AUTHORIZING A CONTRACT WITH DULUTH READY MIX FOR THE PURCHASE AND DELIVERY OF WASHED SAND DURING YEAR 2012 FOR A TOTAL AMOUNT OF \$64,125.00.

12-0511R - RESOLUTION AWARDED A CONTRACT TO HUNT ELECTRIC CORPORATION FOR ELECTRICAL UPGRADES AT ENGER PARK TOWER, GAZEBO AND PAVILION IN THE AMOUNT OF \$124,101.

12-0512R - RESOLUTION AUTHORIZING A CONTRACT WITH NORTH AMERICAN SALT COMPANY FOR THE PURCHASE AND DELIVERY OF ROAD SALT FOR A TOTAL OF \$220,030.83 FOR YEAR 2012 (OCTOBER-DECEMBER) AND A TOTAL OF \$500,792.82 FOR YEAR 2013 (JANUARY THROUGH APRIL) FOR A COMBINED WINTER SEASON TOTAL OF \$720,790.65.

12-0514R - RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO AMERICAN INDIAN COMMUNITY HOUSING ORGANIZATION.

**COMMITTEE 1**

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

12-0524R - RESOLUTION APPROVING THE EXEMPTION PERMIT FOR A BINGO LICENSE FOR HOLY FAMILY CATHOLIC CHURCH AND APPROVING AN APPLICATION FOR AN EXCLUDED BINGO LICENSE FOR KENWOOD LUTHERAN CHURCH AND WAIVING THE 60 DAY WAITING PERIOD.

**BY COUNCILOR BOYLE (PERSONNEL)**

12-0491R - RESOLUTION REAPPOINTING RICK REVOIR TO THE SEAWAY PORT AUTHORITY OF DULUTH.

12-0516R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF HEATING, VENTILATION, AIR CONDITIONING AND REFRIGERATION INSPECTOR.

12-0517R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF STOREKEEPER.

12-0519R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF WATER PLANT OPERATOR A.

12-0520R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF WATER PLANT OPERATOR B.

12-0521R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF WATER PLANT OPERATOR C.

12-0522R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF WATER PLANT OPERATOR D.

12-0523R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF WATER QUALITY SPECIALIST.

**COMMITTEE 2**

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

12-0489R - RESOLUTION OF INTENT TO MAINTAIN PUBLIC USE OF NORTHWEST PASSAGE TO SUPPORT FEDERAL FUNDING.

12-0494R - RESOLUTION AUTHORIZING AN APPLICATION TO THE STATE OF MINNESOTA FOR A MINNESOTA INVESTMENT FUND DISASTER RECOVERY GRANT IN THE AMOUNT OF \$2,000,000 FOR FLOOD DAMAGED BUSINESSES.

12-0499R - RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH THE NORTHSPAN GROUP, INC., TO ADMINISTER A DISASTER RECOVERY PROGRAM GRANT FOR THREE PERCENT OF THE TOTAL BUSINESS LOAN DISBURSEMENT AS APPROVED BY DEED OR AN AMOUNT NOT TO EXCEED \$60,000, WHICHEVER IS LESS.

12-0501R - RESOLUTION ADOPTING GUIDELINES FOR ADMINISTERING BUSINESS RECOVERY FUNDS AWARDED THROUGH THE MINNESOTA INVESTMENT FUND.

**COMMITTEE 2**

**BY COUNCILOR GARDNER (INTERGOVERNMENTAL RELATIONS)**

12-0502R - RESOLUTION ENTERING INTO AN AGREEMENT ACCEPTING A GRANT OF \$179,455 FROM SENIOR SERVICE AMERICA, INC., TO OPERATE THE SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM FROM OCTOBER 1, 2012, THROUGH JUNE 30, 2013.

**COMMITTEE 3**

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

12-0490R - RESOLUTION ACCEPTING GAS UTILITY EASEMENT FROM PLB, LLC, OVER CERTAIN PROPERTY AT WOODLAND AVENUE AND ST. MARIE STREET.

12-0500R - RESOLUTION AMENDING RESOLUTION 11-0332 AMENDING BRIDGE BOND GRANT AGREEMENT NO. 98420 FOR THE REHABILITATION OF BRIDGE NO. 93402 ON SECOND STREET AT CHESTER CREEK TO INCREASE THE AMOUNT BY \$115,000 FOR A NEW TOTAL OF \$674,945.50.

12-0503R - RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC, FOR THE REHABILITATION OF BRIDGE NO. L6007 IN THE AMOUNT OF \$897,579.

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

12-0475R - RESOLUTION AUTHORIZING A CONTRACT WITH NELSON DODGE GMC (NELSON AUTO CENTER) FOR THE PURCHASE AND DELIVERY OF NINE 2013 FORD POLICE INTERCEPTOR UTILITY VEHICLES FOR THE DULUTH POLICE DEPARTMENT IN THE AMOUNT OF \$247,540.38.

12-0495R - RESOLUTION AUTHORIZING AGREEMENT WITH THE STATE OF MINNESOTA HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION FOR CONTINUED PROVISION OF HAZARDOUS MATERIALS CHEMICAL ASSESSMENT TEAM SERVICES THROUGH SEPTEMBER 30, 2014, IN THE AMOUNT OF \$90,000 PLUS CERTAIN COSTS REIMBURSEMENT.

12-0496R - RESOLUTION ESTABLISHING ACCESSIBLE PARKING SPACES.

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

12-0518R - RESOLUTION AUTHORIZING THE EXECUTION OF A SNOWMOBILE TRAILS ASSISTANCE PROGRAM GRANT AGREEMENT FOR FY2013 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$13,925.

**NEW** 12-0527R - RESOLUTION AUTHORIZING A MASTER SERVICES AGREEMENT WITH THE INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION FOR PROFESSIONAL CONSULTING SERVICES FOR TRAIL DESIGN, BUILDING, REPAIR AND MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$50,000.

**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)**

12-0525R - RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF GENERAL OBLIGATION CAPITAL EQUIPMENT NOTES, SERIES 2012C.

**BY COUNCILOR BOYLE (PERSONNEL)**

12-0515R - RESOLUTION CONFIRMING AND APPROVING MEMBERS TO THE DULUTH CITIZEN REVIEW BOARD. **(REPLACEMENT)**

**COMMITTEE 3**

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

**NEW** 12-0493R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH BENTLEYVILLE TOUR OF LIGHTS, INC., FOR THE PRODUCTION, PROMOTION AND MANAGEMENT OF THE BENTLEYVILLE TOUR OF LIGHTS IN 2012.

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**INTRODUCTION AND CONSIDERATION OF ORDINANCES**

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

**COMMITTEE 1**

**BY COUNCILOR KRUG (FINANCE)**

12-058-O - AN ORDINANCE EXEMPTING GO AIRPORT IMPROVEMENT BONDS FROM THE PROVISIONS OF SECTION 20-19 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATED TO THE COMMUNITY ARTS SET-ASIDE.

12-062-O - AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION LAKEWALK EXTENSION BONDS IN THE MAXIMUM AMOUNT OF \$700,000 OF THE CITY OF DULUTH UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTIONS OF THE CITY COUNCIL AND LEVYING TAXES FOR THE PAYMENT THEREOF.

**COMMITTEE 2**

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

12-060-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION, FROM MU-N TO F-1 AND F-2, OF PROPERTIES LOCATED ON THE NORTH SIDE OF EAST SUPERIOR STREET IN THE LAKESIDE AND LESTER PARK NEIGHBORHOODS (CITY OF DULUTH).

12-061-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION, FROM R-1 TO MU-N, OF THE PROPERTIES LOCATED AT 4131, 4201 AND 4219 GRAND AVENUE (KHAI KING, MURPHY OIL USA, INC., AND CHRIST THE KING LUTHERAN CHURCH).

**COMMITTEE 2**

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

12-063-O - AN ORDINANCE AUTHORIZING CONVEYANCE OF PROPERTY TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR \$50,000.

**COMMITTEE 3**

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

12-064-O - AN ORDINANCE AMENDING THE DULUTH CITY CODE, 1959, AS AMENDED, ADDING NEW SECTIONS 6-80 AND 6-80.1, REGARDING THE KEEPING OF HONEYBEES.

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

**COMMITTEE 2**

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

12-059-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION, FROM I-W TO MU-W, OF THE PROPERTIES LOCATED AT 1119, 1123 AND 1127 MINNESOTA AVENUE (RAY ROBBINS).

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**COUNCILOR QUESTIONS AND COMMENTS**

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**COUNCILOR PREVIEW OF UPCOMING BUSINESS**

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