

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, October 22, 2012, 7:00 p.m.

ROLL CALL PLEDGE OF ALLEGIANCE

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]

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

*12-1022-01 Assessor letter of insufficiency regarding petition for North 11th Avenue West watermain extension. -- Received

*12-1022-02 Clerk application for exempt permit (raffle) to the Minnesota gambling control board from Western Lake Superior Habitat for Humanity on January 26, 2013. -- Received

*12-1022-03 Purchasing agent emergency purchase reports, pursuant to Section 41-27 of the Duluth City Code, for: (a) Permanent repairs to flood-damaged Hutchinson Road awarded to Northland Constructors of Duluth, LLC, for \$121,809; (b) Temporary and permanent repairs to five flood-damaged streets awarded to Veit Companies. -- Received

REPORTS OF BOARDS AND COMMISSIONS

*12-1022-04 American Indian commission minutes of June 18, 2012, meeting. -- Received

*12-1022-05 Commission on disabilities minutes of September 5, 2012, meeting. -- Received

*12-1022-06 Community development committee minutes of June 26, 2012, meeting. -- Received

*12-1022-07 Parks and recreation commission minutes of September 12, 2012, meeting. -- Received

* Listed only, not copied.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTION TABLED

COMMITTEE 1

BY COUNCILOR BOYLE (PERSONNEL)

12-0515R - RESOLUTION CONFIRMING AND APPROVING MEMBERS TO THE DULUTH CITIZEN REVIEW BOARD. (TABLED 10/8 FOR 10/22 COMMITTEE MEETING)

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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)

12-0529R - RESOLUTION APPROVING THE ISSUANCE OF A 2013 MINNESOTA CURRENCY EXCHANGE LICENSE TO PAWN AMERICA MINNESOTA, LLC.

12-0531R - RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF COFFEE CABIN, LLC (AFTERBURNER LOUNGE), 4701 GRINDEN DRIVE.

12-0537R - RESOLUTION AUTHORIZING INCREASE NO. 2 TO PURCHASE ORDER ISSUED TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC, FOR HOT MIX FINES FOR FLOOD REPAIR PROJECTS IN YEAR 2012, FOR \$150,000 AND A NEW CONTRACT TOTAL OF \$847,550.91.

12-0541R - RESOLUTION ISSUING AN ON SALE 3.2 PERCENT MALT LIQUOR LICENSE AND APPROVING ISSUANCE OF AN ON SALE WINE LICENSE TO PAK'S GREEN CORNER, LLC (PAK'S GREEN CORNER), 4131 GRAND AVENUE.

12-0545R - RESOLUTION AUTHORIZING AN INCREASE OF \$150,000 TO AGREEMENT NO. 21708 WITH ADJUSTERS INTERNATIONAL FOR PROFESSIONAL DISASTER MANAGEMENT CONSULTING SERVICES IN THE PREPARATION OF, AMONG OTHER THINGS, FEMA DOCUMENTATION FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$350,000.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-0540R - RESOLUTION AMENDING RESOLUTION 12-0430 VACATING PLATTED NIAGARA STREET EAST OF JUNCTION AVENUE AND RETAINING A UTILITY EASEMENT (REGENTS OF THE UNIVERSITY OF MINNESOTA).

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

12-0533R - RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE SALVATION ARMY RELATING TO DISTRIBUTION OF EMERGENCY ENERGY ASSISTANCE FUNDS IN THE AMOUNT OF \$16,086.

12-0542R - RESOLUTION AUTHORIZING AN AGREEMENT WITH LAKE SUPERIOR CONSULTING, LLC, FOR PROFESSIONAL ENGINEERING SERVICES TO CONDUCT A FULL CONFIRMATORY, DIRECT ASSESSMENT OF THE CITY'S NATURAL GAS TRANSMISSION PIPELINE IN THE AMOUNT OF \$25,823.

12-0543R - RESOLUTION AUTHORIZING AN AGREEMENT WITH LIMNOTECH FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE DULUTH STREAMS RESTORATION FLOOD 2012 PROJECT IN THE AMOUNT OF \$100,000.

12-0544R - RESOLUTION AUTHORIZING AN AGREEMENT WITH BARR ENGINEERING COMPANY FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE DULUTH STREAMS RESTORATION FLOOD 2012 PROJECT IN THE AMOUNT OF \$100,000.

12-0548R - RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF A \$10,000 GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR DEVELOPMENT OF AN EMERGENCY ACTION PLAN FOR THE HARTLEY DAM ON TISCHER CREEK.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

12-0528R - RESOLUTION AUTHORIZING AN AGREEMENT WITH THE LAKE SUPERIOR TRAFFIC ENFORCEMENT TEAM MEMBERS FOR SERVICES UNDER A GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY FOR THE 2013 TOWARD ZERO DEATHS PROJECT.

12-0532R - RESOLUTION AUTHORIZING AGREEMENT WITH ST. LOUIS COUNTY TO PERFORM POLICE SERVICES PURSUANT TO OPERATION STONE GARDEN AND ACCEPTING REIMBURSEMENT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY, HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION, THROUGH ST. LOUIS COUNTY IN AN AMOUNT NOT TO EXCEED \$40,438.14.

12-0536R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A JOINT POWERS AGREEMENT WITH THE STATE OF MINNESOTA, COMMISSIONER OF PUBLIC SAFETY, BUREAU OF CRIMINAL APPREHENSION, PROVIDING FOR THE CITY OF DULUTH POLICE DEPARTMENT TO CONTINUE PARTICIPATION IN THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE PROGRAM.

12-0539R - 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 \$16,650 AND A GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$31,894.65, FOR THE PURCHASE OF BALLISTIC VESTS.

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

12-0530R - RESOLUTION AMENDING RESOLUTION 11-0632 ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2012; ADDING A LICENSE FEE FOR BEEKEEPING.

12-0547R - RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF A \$38,000 MINNESOTA POLLUTION CONTROL AGENCY GRANT FOR THE CITY'S BUILDING DULUTH'S COMMUNITY RESILIENCY THROUGH URBAN TREES PROGRAM.

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

12-0538R - RESOLUTION AUTHORIZING THE PURCHASE OF MICROSOFT SOFTWARE LICENSES THROUGH SHI INTERNATIONAL CORPORATION FOR YEAR 2012 IN THE AMOUNT OF \$124,427.08.

COMMITTEE 2

BY COUNCILOR GARDNER (INTERGOVERNMENTAL RELATIONS)

12-0428R - RESOLUTION APPROVING SALE OF TAX FORFEIT PROPERTY ON MINNESOTA POINT BY ST. LOUIS COUNTY.

COMMITTEE 3 (PUBLIC WORKS & UTILITIES)

BY COUNCILOR JULSRUD/COUNCILOR KRAUSE

12-0546R - RESOLUTION REQUESTING DESIGN FOR A PERMANENT STREET IN AND AROUND JOSHUA AVENUE FROM MAPLE GROVE ROAD TO ARROWHEAD ROAD.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

The following entitled ordinances are to be read for the second 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).

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

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).

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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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS