

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Tuesday, November 13, 2012, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - June 25, 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

*12-1113-01 Dan and Lynn McGinty appeal of the planning commission denial of front and side yard setback variances for the construction of a garage at 1920 Minnesota Avenue. -- Committee 2 (planning and economic development)

*12-1113-02 Philip Sutula communication regarding the appeal of the planning commission denial of front and side yard setback variances for the construction of a garage at 1920 Minnesota Avenue (12-0569R and 12-0570R). -- Received

*12-1113-03 The following communications regarding the proposed design request for a permanent street in and around Joshua Avenue (12-0546R): (a) Al and Muriel Brodin; (b) David Sorenson. -- Received

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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

*12-1113-04 Assessor amended assessment roll of delinquent solid waste collecting expenses during the period of March 1, 2011, to June 1, 2012, for which the licensed collector has not been reimbursed. -- Received

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REPORTS OF BOARDS AND COMMISSIONS

*12-1113-05 Building appeal board minutes of August 8, 2012, meeting. -- Received

*12-1113-06 Duluth airport authority minutes of: (a) September 18; (b) September 27; (c) September 28; (d) October 4; (e) October 12, 2012, meetings. -- Received

*12-1113-07 Duluth economic development authority minutes of September 26, 2012, meeting. -- Received

*12-1113-08 Duluth public utilities commission minutes of: (a) June 6; (b) August 21; (c) August 27, 2012, meetings. -- Received

- *12-1113-09 Housing and redevelopment authority of Duluth minutes of July 11, 2012, meeting. -- Received
- *12-1113-10 Library board minutes of: (a) August 28; (b) September 25, 2012, meetings. -- Received
- *12-1113-11 Seaway Port authority of Duluth: (a) Minutes of: (1) June 21; (2) July 23, 2012, meetings; (b) Budget summary of September 2012. -- Received
- *12-1113-12 Spirit Mountain recreation area authority minutes of: (a) August 16; (b) September 20, 2012, meetings. -- 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 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. (TABLED 10/22)

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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)

12-0562R - RESOLUTION AUTHORIZING THE REQUEST FOR REIMBURSEMENT FROM THE STATE OF MINNESOTA FOR THE ADJUSTMENT TO PROPERTY TAXES RELATING TO THE FLOOD OF JUNE 2012.

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

12-0551R - RESOLUTION IN THE MATTER OF THE OFF SALE INTOXICATING LIQUOR LICENSE OF CITY WINE & LIQUOR STORE, INC. (WAREHOUSE LIQUOR STORE), 104 WEST CENTRAL ENTRANCE.

12-0553R - RESOLUTION INCREASING THE CITY'S CONTRACT WITH BEDROCK FLINT, INC., FOR TUCKPOINTING SERVICES BY \$68,300, FOR A REVISED CONTRACT TOTAL OF \$185,000.

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

12-0563R - RESOLUTION AUTHORIZING AN AGREEMENT WITH JULEE QUARVE-PETERSON, INC., FOR PROFESSIONAL SERVICES IN COMPLYING WITH APPLICABLE CODES, LAWS AND DESIGN GUIDELINES PERTAINING TO ACCESSIBILITY FOR PERSONS WITH DISABILITIES FOR AN AMOUNT NOT TO EXCEED \$55,875.

COMMITTEE 2

BY COUNCILOR GARDNER (INTERGOVERNMENTAL RELATIONS)

12-0549R - RESOLUTION CONSENTING TO VOLUNTARY FORFEITURE OF CERTAIN PROPERTY IN UPPER WOODLAND.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

12-0560R - RESOLUTION AWARDED A CONSTRUCTION CONTRACT TO INTERNATIONAL CHIMNEY CORPORATION FOR THE REHABILITATION OF THE CHIMNEY STACK AT THE DULUTH STEAM PLANT IN THE AMOUNT OF \$339,870.

12-0561R - RESOLUTION AWARDED A CONTRACT TO ULLAND BROTHERS, INC., AND AUTHORIZING THE PURCHASE OF COLD MIX BLACKTOP BASED ON 12-MONTHS OF ESTIMATED USAGE FOR A TOTAL OF \$51,246.56.

12-0564R - RESOLUTION AUTHORIZING A MASTER PARTNERSHIP AGREEMENT WITH MN/DOT TO COOPERATIVELY PROVIDE ROADWORK SERVICES.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

12-0550R - RESOLUTION AUTHORIZING THE CITY OF DULUTH POLICE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES FOR REIMBURSEMENT OF CITY OVERTIME FOR INVESTIGATIVE SERVICES RELATED TO FEDERAL CRIMINAL INVESTIGATIONS IN THE AMOUNT OF \$25,000.

12-0565R - RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM MINNESOTA DEPARTMENT OF PUBLIC SAFETY HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION IN THE AMOUNT OF \$20,000 FOR THE PURPOSE OF MAINTAINING LOCAL EMERGENCY MANAGEMENT PROGRAM.

12-0567R - RESOLUTION SCHEDULING A PUBLIC HEARING ON THE PROPOSED DESIGNATION OF CERTAIN STREETS IN THE VICINITY OF THE UNIVERSITY OF MINNESOTA-DULUTH AS A RESIDENT PERMIT PARKING ZONE AND FURTHER DESIGNATING THE SOUTH SIDE OF EAST CLOVER STREET AS NO PARKING.

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

NEW 12-0573R - RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF A \$6,000 MATCHING FUNDS GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES AND MINNESOTA'S LAKE SUPERIOR COASTAL PROGRAM TO DESIGN A TOILET ADDITION TO LAFAYETTE COMMUNITY CENTER.

COMMITTEE 3

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

NEW 12-0574R - RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF, IF OFFERED A \$80,000 MATCHING FUNDS GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES AND MINNESOTA'S LAKE SUPERIOR COASTAL PROGRAM TO CONSTRUCT A TOILET ADDITION TO LAFAYETTE COMMUNITY CENTER.

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)

NEW 12-0577R - RESOLUTION APPROVING THE EXEMPTION OF A BINGO LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR LINCOLN PARK BUSINESS GROUP.

BY COUNCILOR BOYLE (PERSONNEL)

12-0554R - RESOLUTION CONFIRMING THE APPOINTMENT OF PEGGY SPEHAR AS CHIEF FINANCIAL OFFICER FOR THE CITY OF DULUTH.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-0566R - RESOLUTION OF SUPPORT FOR CHANGES TO THE CITY'S PET LICENSING PROCESS.

12-0569R - RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION TO DENY THE APPLICATION FOR A VARIANCE FROM THE FRONT AND SIDE YARD SETBACKS OF SECTION 50-14.5 OF THE DULUTH CITY CODE (LYNN AND DAN MCGINTY).

12-0570R - RESOLUTION REVERSING THE DECISION OF THE PLANNING COMMISSION TO DENY THE APPLICATION FOR A VARIANCE FROM THE FRONT AND SIDE YARD SETBACKS OF SECTION 50-14.5 OF THE DULUTH CITY CODE (LYNN AND DAN MCGINTY).

12-0571R - RESOLUTION AUTHORIZING A REDEVELOPMENT GRANT AGREEMENT WITH THE STATE OF MINNESOTA ON BEHALF OF THE PIER B PROJECT. **(REPLACEMENT)**

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

12-0568R - RESOLUTION AWARDED A CONTRACT TO SIGNATURE BRIDGE, INC. FOR INSTALLATION OF PHASE 1 BRIDGE AND PLACEMENT OF EXISTING SKI TRAIL BRIDGE AT CHESTER PARK IN THE AMOUNT OF \$122,769.24.

COMMITTEE 3

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

12-0572R - RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF A \$25,000 LET'S GROW - LINCOLN PARK GRANT FROM CITIES OF SERVICE ON BEHALF OF BLOOMBERG PHILANTHROPIES TO DEVELOP COMMUNITY GARDENS IN THE LINCOLN PARK NEIGHBORHOOD.

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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)

12-065-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1 TO R-P THE PROPERTIES LOCATED IN THE COFFEE CREEK LOW DENSITY PLANNED DEVELOPMENT (CITY OF DULUTH).

12-066-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1 TO R-P THE PROPERTIES LOCATED IN THE BAYHILL COVE LOW DENSITY PLANNED DEVELOPMENT (CITY OF DULUTH).

12-067-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1 TO R-P THE PROPERTIES LOCATED IN THE EASTRIDGE ESTATES LOW DENSITY PLANNED DEVELOPMENT (CITY OF DULUTH).

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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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