

**AGENDA FOR THE DULUTH CITY COUNCIL MEETING**

**REPLACEMENT**

Monday, January 28, 2013, 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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**PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS**

\*13-0128-01 Minnesota office of administrative hearings notice of resolution received from city of Proctor regarding annexation of Midway Township (13-0028R). - Received

\*13-0128-02 Holiday Stationstores, by Harold A. Frederick, attorney, communication regarding proposed sign regulations (12-070-O(b)). -- Received

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**REPORTS FROM THE ADMINISTRATION**

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**REPORTS FROM OTHER OFFICERS**

\*13-0128-03 Clerk applications for exempt permits (raffles) to the Minnesota gambling control board from: (a) Essentia Health Foundation on April 12, 2013; (b) Minnesota Quilters, Inc. on June 15, 2013. -- Received

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**REPORTS OF BOARDS AND COMMISSIONS**

\*13-0128-04 Duluth public utilities commission minutes of December 18, 2012, meeting. -- Received

\*13-0128-05 Entertainment and convention center authority minutes of: (a) June 26; (b) July 31; (c) August 28; (d) September 25; (e) October 30; (f) November 20, 2012, meetings. -- Received

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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 HARTMAN**

**(FINANCE)**

13-0060R - RESOLUTION APPROVING BUDGET AND COST SHARING FORMULA OF MINNEAPOLIS-DULUTH/SUPERIOR PASSENGER RAIL ALLIANCE AND AUTHORIZING PAYMENT OF CITY'S COST SHARE OF \$12,500.00.

**BY COUNCILOR KRAUSE**

**(PURCHASING & LICENSING)**

13-0021R - RESOLUTION AUTHORIZING A POTENTIAL FIVE-YEAR AGREEMENT WITH ESSENTIA HEALTH FOR THE ADMINISTRATION OF CONFIDENTIAL OCCUPATIONAL MEDICAL TESTS AND SERVICES RELATED TO CITY EMPLOYMENT FOR AN ANNUAL AMOUNT NOT TO EXCEED \$52,000 IN YEAR 2013.

13-0039R - RESOLUTION AUTHORIZING A CONTRACT WITH ZIEGLER, INC., FOR THE PURCHASE AND DELIVERY OF A CATERPILLAR 930H ARTICULATING WHEEL LOADER IN THE AMOUNT OF \$101,501.75.

13-0041R - RESOLUTION RENEWING ANNUAL CONTRACT WITH DULUTH READY MIX, INC., FOR THE PURCHASE OF CLASS 5 GRAVEL, 3/4-INCH CRUSHED WASHED ROCK, RIP-RAP, AND BEDDING SAND IN YEAR 2013, FOR AN ESTIMATED TOTAL AMOUNT OF \$151,762.50.

13-0045R - RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF VEHICLE AND EQUIPMENT TIRE AND REPAIR SERVICES FROM POMP'S TIRE SERVICE, INC., AS REQUESTED BY THE FLEET SERVICES DIVISION IN YEAR 2013 FOR AN ESTIMATED TOTAL AMOUNT OF \$58,000.

13-0053R - RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO DULUTH SOFTBALL PLAYERS ASSOCIATION.

13-0054R - RESOLUTION APPROVING THE EXEMPTION OF A BINGO LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR HOLY FAMILY CATHOLIC CHURCH.

13-0059R - RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF ANNUAL CONTRACT WITH RTW, INC., AND PAYMENT IN AN AMOUNT NOT TO EXCEED \$53,300 FOR THIRD-PARTY ADMINISTRATION OF CITY WORKERS' COMPENSATION CLAIMS EFFECTIVE FEBRUARY 1, 2013

**BY COUNCILOR GARDNER**

**(PERSONNEL)**

13-0030R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF UTILITY RADIO DISPATCHER INCLUDING A TITLE CHANGE TO UTILITY SERVICES DISPATCHER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

13-0034R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF ADMINISTRATIVE INFORMATION SPECIALIST.

13-0035R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF INFORMATION TECHNICIAN.

**COMMITTEE 1**

**BY COUNCILOR GARDNER (PERSONNEL)**

13-0036R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF CLERICAL SUPPORT TECHNICIAN.

**COMMITTEE 2**

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

13-0050R - RESOLUTION OBJECTING TO THE SALE OF A TAX FORFEITED PARCEL BY THE BOARD OF COMMISSIONERS OF SAINT LOUIS COUNTY AND THAT THE PARCEL BE RETAINED THROUGH FREE CONVEYANCE FOR AN AUTHORIZED PUBLIC USE.

**COMMITTEE 3**

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

13-0040R - RESOLUTION AUTHORIZING AN INCREASE OF \$250,000 IN THE CITY'S CONTRACT C21251 WITH VENTURE FUELS FOR THE PURCHASE AND DELIVERY OF COAL TO THE DULUTH STEAM PLANT DURING THE REMAINING 2012/2013 SEASON, FOR A NEW TOTAL ESTIMATED CONTRACT AMOUNT OF \$7,890,640.

13-0042R - RESOLUTION OF INTENT TO CONSTRUCT A SANITARY SEWER IN LAWN STREET BEGINNING AT NORTH BOUNDARY AVENUE AND EXTENDING 250 FEET EASTERLY, AND TO ASSESS THE COSTS THEREOF.

13-0047R - RESOLUTION OF INTENT FOR THE 2013 STREET PRESERVATION PROJECT AND TO ASSESS A PORTION OF THE COSTS THEREOF.

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

13-0048 - RESOLUTION AUTHORIZING THE EXECUTION OF A THREE (3) YEAR LEASE AGREEMENT WITH NORTHWOODS LEAGUE, INC., FOR THE USE OF WADE STADIUM THROUGH 2015. RENTAL FEES OF \$330 PER GAME WILL BE DEPOSITED INTO 210-030-3190-4625-04.

**END OF CONSENT AGENDA**

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

**COMMITTEE 1**

**BY COUNCILOR HARTMAN (FINANCE)**

**NEW** 13-0061R - RESOLUTION REQUESTING CITY ADMINISTRATION PROVIDE INFORMATION COMPARING CITY OPERATIONS TO THE OPERATIONS OF BLOOMINGTON, ROCHESTER, ST. CLOUD, MINNEAPOLIS AND ST. PAUL. **(REPLACEMENT 2)**

**COMMITTEE 1**

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

13-0046R - RESOLUTION AUTHORIZING A RENEWAL OF A SOFTWARE MAINTENANCE AGREEMENT FOR A PERIOD OF FIVE YEARS WITH NEW WORLD SYSTEMS CORPORATION FOR AN ANNUAL AMOUNT NOT TO EXCEED \$169,925.79 IN 2013, AND INCREASING BY 5% ANNUALLY THEREAFTER UNTIL 2017.

**BY COUNCILOR GARDNER (PERSONNEL)**

13-0057R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF PROPERTY AND FACILITIES MANAGER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

**COMMITTEE 2**

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

13-0044R - RESOLUTION AMENDING THE COMPREHENSIVE PLAN - FUTURE LAND USE MAP FROM NORTH EIGHTH AVENUE EAST TO NORTH NINTH AVENUE BETWEEN EAST FIRST STREET TO EAST FIRST STREET ALLEY (CITY OF DULUTH).

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

**NEW** 13-0062R - RESOLUTION APPOINTING \_\_\_\_\_ TO THE DULUTH PUBLIC UTILITIES COMMISSION, REPLACING PATRICK BOYLE.

**COMMITTEE 3**

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

13-0049R - RESOLUTION AUTHORIZING APPLICATION FOR AND, UPON APPROVAL, ACCEPTANCE OF A SAFE ROUTES TO SCHOOL GRANT RELATED TO IMPROVING SIDEWALKS OR PROVIDING MISSING SIDEWALKS FROM THE LINCOLN PARK NEIGHBORHOOD TO THE NEW MIDDLE SCHOOL.

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

13-0051R - RESOLUTION ACCEPTING UNCONDITIONAL GIFTS FROM THE FRIENDS OF THE DULUTH PUBLIC LIBRARY FOR THE BENEFIT OF THE LIBRARY IN 2013 AND 2014.

13-0052R - RESOLUTION ACCEPTING UNCONDITIONAL GIFTS FROM THE DULUTH LIBRARY FOUNDATION FOR THE BENEFIT OF THE LIBRARY FOR 2013 AND 2014.

13-0055R - RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF DULUTH AND DULUTH COMMUNITY GARDEN PROGRAM FOR IMPLEMENTATION OF AN IMPACT SERVICE INITIATIVE, LET'S GROW LINCOLN PARK.

**INTRODUCTION AND CONSIDERATION OF ORDINANCES**

**ORDINANCE TABLED**

**COMMITTEE 2**

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

12-070-O(b) - AN ORDINANCE CREATING SECTIONS 50-27, 50-38.6, 50-38.7, AND 50-41 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING SIGN REGULATIONS, NONCONFORMING SIGNS AND DEFINITIONS. (AS AMENDED) (RETABLED 1/14)

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

**COMMITTEE 2**

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

13-004-O - AN ORDINANCE AUTHORIZING DEDICATION OF A STREET AND UTILITY EASEMENT OVER CERTAIN CITY PROPERTY IN THE CANAL PARK AREA TO THE GENERAL PUBLIC.

13-005-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM MIXED USE-NEIGHBORHOOD (MU-N) AND RESIDENTIAL-URBAN (R-2) TO MIXED USE-INSTITUTIONAL (MU-I), PROPERTIES LOCATED BETWEEN NORTH NINTH AVENUE EAST AND NORTH 12TH AVENUE EAST AND BETWEEN EAST SUPERIOR STREET AND EAST THIRD STREET (ST. LUKE'S MEDICAL CAMPUS AREA).

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

**COMMITTEE 1**

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

13-001-O - AN ORDINANCE AMENDING THE CHARITABLE GAMBLING REQUIREMENTS AT ESTABLISHED LICENSED FOR ALCOHOL SALES.

**COMMITTEE 2**

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

13-002-O - AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY IN CANAL PARK TO OLD CITY HALL, LLC FOR \$300,000.

13-003-O - AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY ON PARK POINT TO ROBERT A. AND LAURA A. GOEWY FOR \$235,000.

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**COUNCILOR QUESTIONS AND COMMENTS**

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**COUNCILOR PREVIEW OF UPCOMING BUSINESS**

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