

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, February 11, 2013, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - October 4, 8, and 22, November 8, 13, and 26, 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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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

*13-0211-01 Clerk applications for exempt permits to the Minnesota gambling control board from: (a) Lincoln Park Business Group on June 22, 2013 (raffle, tipboards), (b) Minnesota Bluegrass & Old-Time Music Association on March 23, 2013 (raffle), (c) Ridgeview Country Club on April 20, 2013 (raffle); (d) United Northern Sportmen Club on April 12, 2013 (raffle). -- Received

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REPORTS OF BOARDS AND COMMISSIONS

*13-0211-02 Duluth public utilities commission minutes of January 15, 2013, meeting. -- Received

*13-0211-03 Housing and redevelopment authority minutes of: (a) November 27, (b) December 18, 2012, meetings. -- Received

*13-0211-04 Library board minutes of November 27, 2012, meeting. -- 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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RESOLUTION TABLED

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). (TABLED 1/28)

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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)

13-0071R - RESOLUTION AUTHORIZING AN AGREEMENT WITH HISTORIC UNION DEPOT, INC., IN THE AMOUNT OF \$176,800.

13-0072R - RESOLUTION AUTHORIZING AN AGREEMENT WITH GREAT LAKES AQUARIUM, IN THE AMOUNT OF \$350,000.

13-0073R - RESOLUTION AUTHORIZING AN AGREEMENT WITH LAKE SUPERIOR AND MISSISSIPPI RAILROAD COMPANY IN THE AMOUNT OF \$20,000. (REPLACEMENT)

13-0078R - RESOLUTION AUTHORIZING A SECOND ONE-YEAR EXTENSION OF THE ANNUAL CONTRACT WITH LISCOMB HOOD MASON COMPANY FOR PROPERTY INSURANCE IN THE AMOUNT OF \$93,334.37.

NEW 13-0084R - RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF DULUTH AND DULUTH POLICE UNION, LOCAL 807, FOR THE YEARS 2012-2014.

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

13-0068R - RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR DULUTH PLAYHOUSE, ROTARY CLUB OF DULUTH HARBORTOWN, ANIMAL ALLIES HUMANE SOCIETY, AND FRATERNAL ORDER OF POLICE LODGE 9. (REPLACEMENT)

BY COUNCILOR GARDNER (PERSONNEL)

NEW 13-0085R - RESOLUTION CONFIRMING THE APPOINTMENTS OF BJORN BRAATEN AND JEFFREY ROSENTHAL TO THE ALCOHOL, GAMBLING AND TOBACCO COMMISSION, REPLACING JOHN W. HAMMACK AND HEATH HICKOK.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING AND ECONOMIC DEVELOPMENT)

13-0066R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A SUB-GRANT AGREEMENT WITH THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT IN THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY FOR THE PROGRAM ENTITLED HAZARD MITIGATION ASSISTANCE.

13-0067R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A SUB-GRANT AGREEMENT WITH THE STATE OF MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR \$2,400,000 FOR HAZARD MITIGATION ASSISTANCE AND TO BEGIN TO PURCHASE AND DEMOLISH FLOOD DAMAGED PROPERTIES.

13-0076 - RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BAY WEST INC. FOR PROFESSIONAL CONSULTING SERVICES TO PERFORM AN INVENTORY ENVIRONMENTAL ASSESSMENT PROJECT IN THREE DISCRETE AREAS ALONG THE ST. LOUIS RIVER CORRIDOR IN AN AMOUNT NOT TO EXCEED \$79,000.

13-0080R - RESOLUTION GRANTING WISCONSIN CENTRAL, LTD. A LIMITED RIGHT OF ENTRY UPON VARIOUS PROPERTIES OWNED BY THE CITY OF DULUTH ALONG THE EXISTING CANADIAN RAILROAD (CN) TRACK NEAR BECK'S ROAD BETWEEN I-35 AND THE STEELTON YARD.

BY COUNCILOR KRUG (INTERGOVERNMENTAL RELATIONS)

13-0075R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT FUNDS FROM ST. LOUIS COUNTY TO PROVIDE MINNESOTA FAMILY INVESTMENT PROGRAM AND DIVERSIONARY WORK PROGRAM EMPLOYMENT AND TRAINING SERVICES IN AN AMOUNT NOT LESS THAN \$895,456 FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013.

BY PRESIDENT BOYLE (COMMITTEE OF THE WHOLE)

13-0079R - RESOLUTION REAFFIRMING THE DATE FOR THE MUNICIPAL PRIMARY ELECTION.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS AND UTILITIES)

13-0043R - RESOLUTION AMENDING A CONTRACT WITH MSA PROFESSIONAL SERVICES, INC. FOR PROFESSIONAL SERVICES FOR DESIGN AND CONSTRUCTION OF LIFT STATION NO. 45 PUMPING AND FORCE MAIN IMPROVEMENTS IN THE ESTIMATED AMOUNT OF \$30,214.50 FOR A NEW TOTAL OF \$191,678.50.

13-0063R - RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FEDERAL RECREATIONAL TRAIL GRANT PROGRAM AND TO ENTER INTO A GRANT AGREEMENT FOR THE CROSS CITY TRAIL PHASE 3.

13-0064R - RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FEDERAL RECREATIONAL TRAIL GRANT PROGRAM AND TO ENTER INTO A GRANT AGREEMENT FOR THE CROSS CITY TRAIL PHASE 4.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS AND UTILITIES)

13-0065R - RESOLUTION AWARDDING A THREE-YEAR AGREEMENT TO OUT THERE ADVERTISING, INC., FOR THE DEVELOPMENT AND PROMOTION OF PUBLIC AWARENESS OF PRODUCT SAFETY AND UTILITY SERVICES FOR AN ANNUAL AMOUNT NOT TO EXCEED \$85,000 IN EACH OF YEARS 2013, 2014, AND 2015, AND A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$255,000.

13-0069R - RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH ENERGY MANAGEMENT SOLUTIONS, INC., FOR PROFESSIONAL SERVICES RELATED TO A COMMERCIAL AND INDUSTRIAL CONSERVATION IMPROVEMENT PROGRAM FOR DULUTH PUBLIC WORKS & UTILITIES, FOR AN ANNUAL AMOUNT NOT TO EXCEED \$35,000 IN EACH OF YEARS 2013, 2014, AND 2015, AND A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$105,000.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

13-0074R - RESOLUTION AMENDING RESOLUTION 12-0608, ADOPTING LICENSE, PERMIT, FINE, PENALTY AND OTHER CHARGES FOR 2013, TO INCREASE THE PAWNBROKER TRANSACTION SURCHARGE.

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

13-0081R - RESOLUTION ACCEPTING A \$1,000 DONATION FROM THE AMERICAN LUNG ASSOCIATION TO ASSIST IN THE COST OF SMOKE FREE SIGNAGE ON THE LAKEWALK.

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)

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.

13-0070R - RESOLUTION AUTHORIZING AN AGREEMENT WITH DULUTH SISTER CITIES INTERNATIONAL, INC., IN THE AMOUNT OF \$30,000.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS AND UTILITIES)

13-0077R - RESOLUTION AUTHORIZING A CONTRACT WITH LHB, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN FOR FLOOD REPAIR OF BRIDGE NO. 88547, ARMORY AT CHESTER CREEK, IN THE AMOUNT OF \$82,901.

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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 KRAUSE (PURCHASING AND LICENSING)

13-006-O - AN ORDINANCE AMENDING SECTION 36-10 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING PAWNBROKER HOURS OF OPERATION.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

13-007-O - AN ORDINANCE REPEALING ORDINANCE NO. 10172 RESCINDING THE INTERIM MORATORIUM ON POLE SIGNS AND MONUMENT SIGNS.

NEW 13-009-O - 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, NON-CONFORMING SIGNS AND DEFINITIONS.

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

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS
