

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, June 24, 2013, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - May 13, 2013.

PUBLIC HEARING - 7:00 P.M. - MIF Flood Recovery Grant Amendment.

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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

*13-0624-01 Minnesota state auditor audit report of the Duluth airport authority for the years ended December 31, 2012 and 2011. -- Received

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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

*13-0624-02 Assessor assessment roll of delinquent solid waste collecting expenses during the period of March 1, 2012, to June 1, 2013, for which the licensed collector has not been reimbursed. -- Received

*13-0624-03 Clerk applications for exempt permits (raffles) to the Minnesota gambling control board from: (a) Duluth Retriever Club on September 1, 2013; (b) St. Margaret Mary Church on September 15, 2013. -- Received

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REPORTS OF BOARDS AND COMMISSIONS

*13-0624-04 Duluth parking commission resolutions, pursuant to Section 33-85 of the Duluth City Code: (a) Prohibiting parking on the south side of Mountain Shadow Drive, enabling everyday parking on the north side (2013-5); (b) Installing a temporary parking zone for physically disabled persons at 420 North 19-1/2 Avenue West (2013-6); (c) Increasing the monthly contract parking rates for the Technology Village Ramp (2013-7); (d) Prohibiting parking on the south side of Water Street between 22nd Avenue East and 23rd Avenue East (2013-8); (e) Recommending an amendment to Section 33-85 of the Duluth City Code to enable on street parking for up to 48 hours (213-12). -- Received. -- Received

*13-0624-05 Housing and redevelopment authority of Duluth minutes of April 30, 2013, meeting. -- 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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RESOLUTIONS TABLED

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

13-0309R - RESOLUTION OF INTENT TO SUPPORT THE RC LIMITED LIABILITY CORPORATION'S REQUEST TO THE MINNESOTA HOUSING FINANCE AGENCY FOR FUNDING FOR THE PASTORET TERRACE PROJECT. (REPLACEMENT)
(TABLED 6/10)

13-0313R - RESOLUTION AMENDING RESOLUTION 12-0608, ADOPTING LICENSE, PERMIT, FINE, PENALTY AND OTHER CHARGES FOR 2013, AMENDING AND ADDING FEES RELATED TO ANIMAL CONTROL. (REPLACEMENT)
(TABLED 6/10 FOR CONSIDERATION WITH ORDINANCE 13-040)

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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)

13-0317R - RESOLUTION CONFIRMING ASSESSMENT ROLL FOR ASSESSMENTS LEVIED AGAINST PROPERTY WITH REGARD TO PROPERTY VIOLATIONS DURING PERIOD OF MARCH 1, 2012, TO MARCH 1, 2013, PURSUANT TO CHAPTER 12 OF THE DULUTH CITY CODE.

13-0318R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL OF DELINQUENT SEWER AND WATER UTILITY FEES DURING THE PERIOD OF JANUARY 1, 2012, TO DECEMBER 31, 2012, AS PROVIDED FOR IN ARTICLE XI OF CHAPTER 43 OF THE DULUTH CITY CODE.

13-0320R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED FOR REASSESSMENT OF A CANCELED RAZING ASSESSMENT.

13-0321R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED FOR REASSESSMENT OF A CANCELED GARBAGE ASSESSMENT.

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

13-0344R - RESOLUTION AUTHORIZING A CONTRACT WITH ELECTION SYSTEMS AND SOFTWARE, LLC, FOR THE PURCHASE AND DELIVERY OF OPTICAL SCAN VOTING SYSTEM EQUIPMENT, SOFTWARE AND RELATED SERVICES FOR A TOTAL ESTIMATED AMOUNT OF \$269,606.97.

13-0347R - RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF VARIOUS LICENSEES.

13-0348R - RESOLUTION APPROVING THE TRANSFER OF THE OFF SALE INTOXICATING LIQUOR LICENSE FROM BUNSIE, INC. (SPIRIT BOTTLE SHOPPE), 5801 GRAND AVENUE TO BROAD EAVES, LLC (PIEDMONT LIQUORA), 2818 PIEDMONT AVENUE, SUITE C.

13-0349R - RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO DULUTH AMATEUR HOCKEY ASSOCIATION (BLUES FEST), BAYFRONT PARK.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

13-0335R - RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 702 NORTH SEVENTH AVENUE EAST (CHARLES D. SILL AND LINDA M. SIMMONS).

13-0336R - RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 1520 MINNESOTA AVENUE (WILLIAM MICHELS).

13-0337R - RESOLUTION AUTHORIZING A DECREASE OF \$13,743 IN THE 2013 HUD HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM.

13-0338R - RESOLUTION AUTHORIZING A DECREASE OF \$66,152 IN THE 2013 HUD EMERGENCY SOLUTIONS GRANT (ESGP) PROGRAM.

13-0343R - RESOLUTION AUTHORIZING TRANSFER OF \$225,000 FROM THE 2012 HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM TO THE 2013 HUD CDBG PROGRAM TO EXPEDITE THE TIMELY EXPENDITURE OF FUNDS.

13-0345R - RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE URBAN WATERS SMALL GRANT FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY AND THE EXECUTION OF THE AGREEMENT RELATED THERETO.

13-0346R - RESOLUTION AUTHORIZING AN AMENDMENT TO THE MINNESOTA INVESTMENT FUND DISASTER RECOVERY GRANT AGREEMENT NO. DRLF-12-0002-V-FY13 WITH THE STATE OF MINNESOTA, DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT FOR AN ADDITIONAL \$2,000,000 FOR THE PROVISION OF LOANS TO FLOOD DAMAGED BUSINESS.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

13-0315R - RESOLUTION AWARDDING A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC., FOR THE 2012 FLOOD REPAIR PROJECT 45TH AVENUE EAST IN THE AMOUNT OF \$524,045.80.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

13-0316R - RESOLUTION AUTHORIZING THE CITY OF DULUTH TO ENTER INTO AGREEMENT NO. 04029 WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION TO PROVIDE STATE COMPENSATION FOR MAINTENANCE AND ROAD LIFE CONSUMED BY THE T.H. 23 DETOUR.

13-0327R - RESOLUTION AUTHORIZING A PROPRIETARY ANNUAL CONTRACT WITH DAKOTA SUPPLY GROUP (DSG), FOR THE PURCHASE AND DELIVERY OF BADGER WATER METERS DURING YEAR 2013 FOR A TOTAL AMOUNT OF \$69,043.39.

13-0339R - RESOLUTION AUTHORIZING AN AGREEMENT WITH SEH, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN ENGINEERING FOR THE TENTH AVENUE EAST RECONSTRUCTION PROJECT IN THE AMOUNT OF \$134,327.

13-0340R - RESOLUTION AUTHORIZING THE 2012 ROAD AND BRIDGE DISASTER RELIEF BOND GRANT AGREEMENT 02226 AND ACCEPTING A GRANT FROM THE MINNESOTA STATE TRANSPORTATION FUND FOR ENGINEERING AND RECONSTRUCTION OF VINLAND STREET BETWEEN IRWIN AVENUE AND BOUNDARY AVENUE IN THE AMOUNT OF \$161,429.02.

13-0352R - RESOLUTION ORDERING THE CONSTRUCTION OF SIGNAL AND INTERSECTION IMPROVEMENTS AT THE INTERSECTION OF WOODLAND AVENUE AND SUMMIT STREET AT AN ESTIMATED COST NOT TO EXCEED \$400,000.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

13-0324R - RESOLUTION ESTABLISHING ACCESSIBLE PARKING SPACES.

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)

13-0319R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL OF DELINQUENT STORMWATER AND LIGHTS UTILITY FEES DURING THE PERIOD OF JANUARY 1, 2012, TO DECEMBER 31, 2012, AS PROVIDED FOR IN ARTICLE XI OF CHAPTER 43 OF THE DULUTH CITY CODE.

BY COUNCILOR GARDNER (PERSONNEL)

13-0350R - RESOLUTION APPROVING JOB SPECIFICATIONS FOR APPOINTED POSITION OF DEPUTY FIRE CHIEF AND SPECIFYING CONTRACT BENEFITS FOR SAME.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

13-0329R - RESOLUTION VACATING PORTIONS OF PLATTED UNIMPROVED ROAD EASEMENT OF WEBER AVENUE LOCATED BETWEEN THE 200 AND 300 BLOCK OF WEST BUFFALO STREET (BILLMAN CONSTRUCTION, INC.).

BY COUNCILOR KRUG (INTERGOVERNMENTAL RELATIONS)

13-0326R - RESOLUTION REGARDING PREVENTION OF INVASIVE ASIAN CARP ENTERING THE GREAT LAKES.

COMMITTEE 3

BY COUNCILOR JULSRUD/COUNCILOR KRAUSE (PUBLIC WORKS & UTILITIES)

13-0341R - RESOLUTION AUTHORIZING THE 2012 ROAD AND BRIDGE DISASTER RELIEF BOND GRANT AGREEMENT 02226 AND ACCEPTING A GRANT FROM THE MINNESOTA STATE TRANSPORTATION FUND FOR ENGINEERING AND RECONSTRUCTION OF 27TH AVENUE WEST BETWEEN THIRD STREET AND 11TH STREET IN THE AMOUNT OF \$92,683.30.

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

13-0333R - RESOLUTION AWARDDING A CONTRACT TO PROGRESSIVE TRAIL DESIGN, LLC FOR THE TRAVERSE TRAIL PHASE I - MISSION CREEK PROJECT IN THE AMOUNT OF \$240,453.

13-0334R - RESOLUTION AWARDDING A CONTRACT TO PROGRESSIVE TRAIL DESIGN, LLC FOR THE TRAVERSE TRAIL PHASE I - LESTER PARK PROJECT IN THE AMOUNT OF \$121,409.

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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)

13-044-O - AN ORDINANCE GRANTING TO DANIEL NEFF A CONCURRENT USE PERMIT FOR THE INSTALLATION OF AN EXHAUST FAN TO PROJECT THREE FEET ONTO THE SOUTH SECOND AVENUE EAST RIGHT-OF-WAY.

13-045-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM RESIDENTIAL-TRADITIONAL (R-1) TO PARK AND OPEN SPACE (P-1), THE WHEELER ATHLETIC COMPLEX LOCATED AT 3501 GRAND AVENUE, AND THE RECLASSIFICATION FROM MIXED USE-BUSINESS (MU-B) TO PARK AND OPEN SPACE (P-1) THE WADE SPORTS COMPLEX LOCATED AT 101 NORTH 35TH AVENUE WEST (CITY OF DULUTH PLANNING DIVISION).

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

13-043-O - AN ORDINANCE REPEALING SECTION 48-26 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING PLUMBING CONNECTIONS MADE BY AUTHORIZED PERSONS.

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

13-040-O - AN ORDINANCE AMENDING CHAPTER 6 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATED TO ANIMAL CONTROL AND LICENSING.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

13-041-O - AN ORDINANCE AMENDING SECTION 29A-27 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING RENTAL LICENSING. (REPLACEMENT)

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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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