

**AGENDA FOR THE DULUTH CITY COUNCIL MEETING**

**FOR AGENDA  
SESSION USE**

Monday, July 15, 2013, 7:00 p.m.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING** - 7:00 p.m. Northstar Aerospace Loan and Promissory Note Agreement Amendments.

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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**

\*13-0715-01 Franklin Johnson, et al. (two signatures), petition for sanitary sewer extension in Swan Lake Place from Swan Lake Road to 270 feet westerly. -- Assessor

\*13-0715-02 Minnesota state auditor management and compliance report for the year ended December 31, 2012, of the Duluth economic development authority. -- Received

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**REPORTS FROM THE ADMINISTRATION**

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**REPORTS FROM OTHER OFFICERS**

\*13-0715-03 Acting assessor letter of sufficiency regarding petition for sanitary sewer extension in Swan Lake Place from Swan Lake Road to 270 feet westerly. -- Received

\*13-0715-04 Clerk applications for exempt permits to the Minnesota gambling control board from: (a) Circle of Hope on October 20, 2013 (raffle); (b) March of Dimes Foundation - Minnesota Chapter on November 7, 2013 (raffle); (c) Women’s Care Center Duluth on November 3, 2013 (bingo, raffle, paddlewheels, pull-tabs, tipboards). -- Received

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**REPORTS OF BOARDS AND COMMISSIONS**

\*13-0715-05 Civil service board minutes of May 7, 2013, meeting. -- Received

\*13-0715-06 Duluth citizen review board minutes of May 28, 2013, meeting. -- Received

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\* 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 2**

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

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)

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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)**

13-0375R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF DEMOLITIONS AT TWO CITY LOCATIONS.

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

13-0384R - RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSES OF VARIOUS LICENSEES.

13-0386R - RESOLUTION APPROVING ISSUANCE OF TEMPORARY ON SALE INTOXICATING LIQUOR LICENSES TO VARIOUS ORGANIZATIONS.

13-0387R - RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSES OF PDL OF DULUTH, INC. (CLUB SARATOGA), 331 CANAL PARK DRIVE.

**BY COUNCILOR GARDNER (PERSONNEL)**

13-0377R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF JANITOR I.

**NEW** 13-0390R - RESOLUTION CONFIRMING THE REAPPOINTMENTS OF JOHN BROSTROM AND DAVID SCHAEFFER, AND THE APPOINTMENTS OF ANNA MARIE FRIESEN AND TOM GRIFFIN, REPLACING ALEXIS LIVADAROS AND BRANDON MAURISAK, TO THE DULUTH TRANSIT AUTHORITY.

**NEW** 13-0391R - RESOLUTION CONFIRMING THE REAPPOINTMENT OF PETE DINGELS, AND THE APPOINTMENTS OF JODI BROADWELL, SOPHIE GRAY, JOAN HENRIK, MARY MATHEWS AND LAUREL SANDERS, REPLACING KATHERYN KRIKORIAN, EDGEWOOD SMITH, MAGDALENA WALLHOFF, JONATHAN LEE AND MEGAN SWAP, TO THE DULUTH PUBLIC ARTS COMMISSION.

**COMMITTEE 2**

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

13-0342R - RESOLUTION AUTHORIZING AN EIGHTH AMENDMENT TO THE MINNESOTA INVESTMENT FUND (MIF) AGREEMENT WITH THE STATE OF MINNESOTA AND FURTHER AUTHORIZING AN EIGHTH AMENDMENT TO THE MIF LOAN AGREEMENT AND AN EIGHTH PROMISSORY NOTE MODIFICATION AGREEMENT WITH NORTHSTAR MACHINE & TOOL, INC., D.B.A. NORTHSTAR AEROSPACE, MODIFYING PAYMENTS FROM JULY 1, 2013 THROUGH DECEMBER 31, 2013.

13-0369R - RESOLUTION TO ADOPT THE SAINT LOUIS COUNTY 2013 HAZARD MITIGATION PLAN THEREBY MAKING THE CITY OF DULUTH ELIGIBLE FOR HAZARD MITIGATION ASSISTANCE.

13-0378R - RESOLUTION AUTHORIZING TRANSFER OF \$42,020 FROM THE 2010 HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM TO THE 2013 HUD CDBG PROGRAM.

13-0388R - RESOLUTION VACATING AN UTILITY EASEMENT ALONG LOTS 2 AND 3, BLOCK 2, VILLAGE MALL AND ADDRESSED AS 2102 MAPLE GROVE ROAD (MHM 22, LLC).

**COMMITTEE 3**

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

13-0356R - RESOLUTION AUTHORIZING CONSTRUCTION AND ASSESSMENT AGREEMENT WITH BLUESTONE COMMONS, LLC, FOR THE INSTALLATION AND ASSESSMENT OF THE COST OF INTERSECTION IMPROVEMENTS AT WOODLAND AVENUE AND SUMMIT STREET.

13-0363R - RESOLUTION ADDING PIEDMONT AVENUE FROM THIRD STREET TO TRUNK HIGHWAY 53 TO THE MUNICIPAL STATE AID (MSA) SYSTEM.

13-0368R - RESOLUTION AWARDED A CONTRACT TO UTILITY SYSTEMS OF AMERICA, INC., FOR THE DEMOLITION OF A BUILDING AND RELATED STORM SEWER REPAIR WORK AT 4441 GRAND AVENUE IN THE AMOUNT OF \$97,500.

13-0371R - RESOLUTION OF INTENT TO CONSTRUCT 270 FEET OF SANITARY SEWER IN SWAN LAKE PLACE BEGINNING AT SWAN LAKE ROAD AND EXTENDING WESTERLY AND TO ASSESS THE COSTS THEREOF.

13-0372R - RESOLUTION AUTHORIZING THE 2012 ROAD AND BRIDGE DISASTER RELIEF BOND GRANT 03776 AND ACCEPTING A GRANT FROM THE MINNESOTA STATE TRANSPORTATION FUND FOR ENGINEERING AND RECONSTRUCTION OF 45TH AVENUE EAST FROM SUPERIOR STREET TO GLENWOOD STREET IN THE AMOUNT OF \$312,234.40.

13-0373R - RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC FOR THE 2012 FLOOD REPAIR PROJECT ON 47TH AVENUE EAST AND 52ND AVENUE EAST IN THE AMOUNT OF \$581,198.90.

13-0374R - RESOLUTION AWARDED A CONTRACT TO URBAN COMPANIES, LLC FOR THE MERRITT CREEK FLOOD REPAIRS PROJECT IN THE AMOUNT OF \$57,278.

13-0376R - RESOLUTION AUTHORIZING A CONTRACT WITH THERMACOR PROCESS, INC., FOR THE PURCHASE AND DELIVERY OF 500 FEET OF SIX INCH PIPE FOR THE DULUTH STEAM PLANT IN THE AMOUNT OF \$50,456.29.

**COMMITTEE 3**

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

13-0379R - RESOLUTION AUTHORIZING THE 2012 ROAD AND BRIDGE DISASTER RELIEF BOND GRANT AGREEMENTS AND ACCEPTING GRANTS FROM THE MINNESOTA STATE TRANSPORTATION FUND FOR ENGINEERING AND RECONSTRUCTION OF VARIOUS LOCATIONS.

13-0380R - RESOLUTION AWARDED A CONTRACT TO BILLMAN CONSTRUCTION INC. FOR THE LAKESIDE COURT EASEMENT SANITARY SEWER EXTENSION (CITY JOB NO. 1150) IN THE AMOUNT OF \$34,485.

13-0381R - RESOLUTION AWARDED A CONTRACT TO WATTERS & SONS EXCAVATING, LLC, FOR LAWN STREET SANITARY SEWER EXTENSION (CITY JOB NO. 1151) IN THE AMOUNT OF \$50,569.

13-0382R - RESOLUTION AWARDED A CONTRACT TO WATTERS & SONS EXCAVATING, LLC, FOR PENTON BOULEVARD STORM SEWER EXTENSION (CITY JOB NO. 1228) IN THE AMOUNT OF \$296,155.

13-0389R - RESOLUTION APPROVING SETTLEMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND WAGNER CONSTRUCTION, INC. RELATED TO THE RECONSTRUCTION OF GLENWOOD STREET.

**NEW** 13-0393R - RESOLUTION AUTHORIZING THE 2012 ROAD AND BRIDGE DISASTER RELIEF BOND GRANT AGREEMENTS AND ACCEPTING GRANTS FROM THE MINNESOTA STATE TRANSPORTATION FUND FOR ENGINEERING AND RECONSTRUCTION AT VARIOUS LOCATIONS.

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

13-0296R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A JOINT POWERS AGREEMENT WITH THE ST. PAUL POLICE DEPARTMENT FOR PARTICIPATION ON THE GERALD D. VICK HUMAN TRAFFICKING TASK FORCE AND FOR REIMBURSEMENT OF OVERTIME SALARY COSTS INCURRED BY THE DULUTH POLICE DEPARTMENT.

13-0364R - RESOLUTION PROHIBITING TRUCK TRAFFIC ON PIEDMONT AVENUE FROM THIRD STREET TO TRUNK HIGHWAY 53.

13-0370R - RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM FEMA IN THE AMOUNT OF \$9,244 FOR THE PURPOSE OF PURCHASING EQUIPMENT FOR THE FIRE DEPARTMENT.

13-0383R - RESOLUTION AUTHORIZING CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES IN WEST DULUTH IN CONJUNCTION WITH SPIRIT VALLEY DAYS AND SUBJECT TO CERTAIN CONDITIONS.

**END OF CONSENT AGENDA**

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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 HARTMAN (FINANCE)**

13-047-O - AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 10181, ADOPTED ON OCTOBER 22, 2012, AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION LAKEWALK EXTENSION BONDS 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.

13-048-O - AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION BONDS IN THE MAXIMUM AMOUNT OF \$875,000 OF THE CITY OF DULUTH TO FINANCE CROSS CITY TRAIL PHASE I UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTIONS OF THE CITY COUNCIL AND LEVYING TAXES FOR THE PAYMENT THEREOF.

The following entitled ordinance is to be read for the second time:

**COMMITTEE 3**

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

13-046-O - AN ORDINANCE DEDICATING AN EASEMENT FOR STREET RIGHT-OF-WAY PURPOSES FOR WEST FIRST STREET BETWEEN 14TH AVENUE WEST AND 17TH AVENUE WEST.

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**COUNCILOR QUESTIONS AND COMMENTS**

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**COUNCILOR PREVIEW OF UPCOMING BUSINESS**

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