

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, December 9, 2013, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - 2014 Budget, Levy and Capital Budget.

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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 OF BOARDS AND COMMISSIONS

- *13-1209-01 Civil service board minutes of: (a) July 9; (b) September 3, 2013, meetings. -- Received
- *13-1209-02 Commission on disabilities minutes of October 2, 2013, meeting. -- Received
- *13-1209-03 Duluth airport authority minutes of October 15, 2013, meeting. -- Received
- *13-1209-04 Duluth citizen review board minutes of October 22, 2013, meeting. -- Received
- *13-1209-05 Duluth economic development authority minutes of October 23, 2013, meeting. -- Received
- *13-1209-06 Duluth parking commission minutes of: (a) September 6; (b) October 4, 2013, meetings. -- Received
- *13-1209-07 Duluth public utilities commission: (a) Minutes of October 15, 2013, meeting; (b) Resolution amending 11PUC-WLSSD, automatically increasing or decreasing sanitary sewer rates to reflect sewer charges imposed by WLSSD for cost of treating the city's sanitary sewer discharges to the WLSSD system (13PUC-014). -- Received
- *13-1209-08 Spirit Mountain recreation area authority board minutes of: (a) September 19; (b) October 17, 2013, 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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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)

13-0597R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF SIDEWALK PATCH 2013.

BY COUNCILOR GARDNER (PERSONNEL)

13-0603R - RESOLUTION CONFIRMING THE CITY OF DULUTH'S APPOINTMENT OF MATT TRAYNOR TO THE ST. LOUIS COUNTY HOMELESS LEADERSHIP COUNCIL, REPLACING LYNN GERLACH-COLLARD.

COMMITTEE 2

BY PRESIDENT BOYLE (COMMITTEE OF THE WHOLE)

NEW 13-0611R - RESOLUTION AUTHORIZING AGREEMENT WITH MADDEN GALANTER HANSEN, LLP FOR LEGAL SERVICES RELATED TO GRIEVANCE ARBITRATIONS IN AN AMOUNT NOT TO EXCEED \$50,000.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

13-0587R - RESOLUTION AUTHORIZING THE 2012 ROAD AND BRIDGE DISASTER RELIEF BOND GRANT 04174 AND ACCEPTING A GRANT FROM THE MINNESOTA STATE TRANSPORTATION FUND FOR ENGINEERING AND CONSTRUCTION OF BRIDGE NO. L8503 ON SEVEN BRIDGES ROAD IN THE AMOUNT OF \$170,903.57.

13-0592R - RESOLUTION AMENDING CONTRACT 21695 WITH LHB, INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR CONSTRUCTION AND INSPECTION FOR FLOOD 2012 VARIOUS LOCATIONS TO INCREASE THE AMOUNT BY \$185,816 FOR A NEW TOTAL OF \$435,816.

13-0595R - RESOLUTION AMENDING CONTRACT 21828 WITH LHB, INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR CONSTRUCTION ADMINISTRATION AND INSPECTION FOR THE FLOOD REPAIRS OF BRIDGE NO. 88547, ARMORY AT CHESTER CREEK, TO INCREASE THE AMOUNT BY \$107,861 FOR A NEW TOTAL OF \$190,762.

13-0596R - RESOLUTION AWARDDING A CONTRACT TO H&R CONSTRUCTION COMPANY FOR GUARDRAIL INSTALLATION AND REPAIR CITYWIDE IN THE AMOUNT OF \$114,033.41.

13-0598R - RESOLUTION AWARDDING A CONTRACT TO KGM CONTRACTORS, INC., FOR THE 63RD AVENUE WEST BOX CULVERTS AT KEENE CREEK IN THE AMOUNT OF \$433,725.82.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

13-0600R - RESOLUTION AMENDING CONTRACT NO. 21749 WITH SEH, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE REPLACEMENT OF BOX CULVERTS IN KEEN CREEK AT 63RD AVENUE WEST, GREENE STREET AND BRISTOL STREET, TO INCREASE THE AMOUNT BY \$68,726 FOR A NEW TOTAL OF \$207, 529.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

13-0572R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH ST. LOUIS COUNTY, TO ENABLE THE DULUTH CITY ATTORNEY'S OFFICE TO ACCESS A SHARED INTEGRATED CRIMINAL JUSTICE SYSTEM KNOWN AS NEMESIS AND DAMION SHIELD.

13-0588R - RESOLUTION AUTHORIZING ACCEPTANCE OF REIMBURSEMENT FOR INSTRUCTOR COSTS FOR BLUE CARD COMMAND TRAINING IN THE AMOUNT OF \$22,654 FROM THE SPRING LAKE PARK FIRE DEPARTMENT INC.

13-0590R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM TARGET CORPORATION IN THE AMOUNT OF \$2,500 FOR THE SHOP WITH A COP PROGRAM.

13-0594R - RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$285,498 FOR THE 2013 TOWARD ZERO DEATHS PROJECT AND ALSO AUTHORIZING A FIRST AMENDMENT TO THE 2013 TOWARD ZERO DEATHS LAW ENFORCEMENT GRANT AGREEMENT FOR SERVICES BY THE LAKE SUPERIOR TRAFFIC ENFORCEMENT TEAM MEMBERS.

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

13-0539R - RESOLUTION AUTHORIZING SECOND AMENDMENT TO AGREEMENT 21045, CONCESSION MANAGEMENT BETWEEN THE CITY AND PROFESSIONAL GOLF MANAGEMENT, INC., EXTENDING OPERATION OF THE ENGER AND LESTER PARK GOLF COURSES THROUGH 2014 FOR \$416,160.

13-0599R - RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LAKE PARK LITTLE LEAGUE, INC. FOR THE OPERATION AND MAINTENANCE OF THE LITTLE LEAGUE FIELDS.

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)

13-0601R - RESOLUTION ESTABLISHING ANNUAL BONDING PLAN FOR 2014.

13-0604R - RESOLUTION TRANSFERRING MONIES TO STREET IMPROVEMENT DEBT SERVICE FUND FROM THE COMMUNITY INVESTMENT TRUST FUND TO CANCEL 2014 DEBT SERVICE TAX LEVY.

(AMENDMENT)

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

13-0589R - RESOLUTION AUTHORIZING A CONTRACT WITH BOYER FORD TRUCKS, INC., FOR THE PURCHASE OF ONE 2014 WESTERN STAR 4800/4900F CAB/CHASSIS UNIT IN THE AMOUNT OF \$122,041 (TO BE EQUIPPED IN 2014 WITH A HYDRO-EXCAVATOR).

BY COUNCILOR FOSLE (PUBLIC SAFETY)

13-0602R - RESOLUTION REQUESTING CITY STAFF REVIEW THE FEASIBILITY OF OPENING CITY TRAILS FOR ALL-TERRAIN VEHICLE USE. **(AMENDMENT)**

13-0608R - RESOLUTION REQUESTING CITY ADMINISTRATION MAKE A RECOMMENDATION TO THE COMMISSIONER OF PUBLIC SAFETY TO RAISE THE SPEED LIMIT TO 40 MPH ON ST. LOUIS RIVER ROAD BETWEEN GETCHELL ROAD AND LAVAQUE ROAD.

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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)

13-075-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL PARKS FUND LEVY FOR THE YEAR 2014.

13-076-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH TRANSIT AUTHORITY, FOR THE YEAR 2014.

13-077-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2014.

13-078-O - AN ORDINANCE SETTING THE BUDGET FOR THE FISCAL YEAR 2014 APPROPRIATING MONIES FOR THE SUPPORT OF THE CITY GOVERNMENT, PUBLIC UTILITIES AND PUBLIC ENTERPRISE FUNDS AND FOR OTHER PURPOSES

13-081-O - AN ORDINANCE AMENDING SECTIONS 41-23 AND 41-24 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING PURCHASING LIMITS.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

13-080-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM RESIDENTIAL-PLANNED (R-P) TO MIXED USE-PLANNED (MU-P), THE PROPERTY LOCATED AT 201 CLOVER STREET.

COMMITTEE 2

BY COUNCILOR KRUG (INTERGOVERNMENTAL RELATIONS)

13-079-O - AN ORDINANCE AMENDING SECTIONS 33-77 AND 33-88.2 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING THE ESTABLISHMENT OF PARKING SPACES FOR THE PHYSICALLY DISABLED.

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

COMMITTEE 1

BY COUNCILORS GARDNER AND HARTMAN

13-073-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING DESIGNATION OF LOCAL HISTORIC LANDMARKS BY THE HERITAGE PRESERVATION COMMISSION.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

13-071-O - AN ORDINANCE GRANTING TO SCALZO PROPERTIES, LLC, A CONCURRENT USE PERMIT FOR TWO OFF STREET PARKING SPACES LOCATED IN THE EAST FIFTH STREET PUBLIC RIGHT-OF-WAY. **(REPLACEMENT)**

13-072-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING ADAPTIVE REUSE OF LOCAL HISTORIC LANDMARKS.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

13-070-O - AN ORDINANCE AUTHORIZING DULUTH PUBLIC UTILITIES COMMISSION TO APPROVE PROGRAMS TO FUND GAS MAIN EXTENSIONS, AMENDING SECTION 48-214 OF THE DULUTH CITY CODE, 1959, AS AMENDED.

BY COUNCILOR LARSON (RECREATION, LIBRARIES AND AUTHORITIES)

13-074-O - AN ORDINANCE AMENDING SECTIONS 27-6, 27-17, 27-18, 27-21 AND 27-23 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATED TO PEDDLERS AND MOBILE FOOD CARTS AND VEHICLES.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS
