

Tuesday, November 12, 2002, 7:00 p.m.

**ROLL CALL
PLEDGE OF ALLEGIANCE**

- - -

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

* 02-1112-01 Billman Construction submitting petition (three signatures) to vacate Locust Street between Ebony Avenue and Hugo Avenue (adjoining Lots 4 - 6), Maple Knoll Division First Addition; the alley between Linden and Locust Streets between Ebony Avenue and Hugo Avenue (Block 12 and 13), Block 12, Duluth Heights Sixth Addition; and the alleys between Linden Street and Locust Street 125 feet west of Hugo Avenue (Block 12), Duluth Heights Sixth Addition. -- Assessor

* 02-1112-02 John Hovland submitting:
(a) Petition for improvements in Northridge Estates, including roadway and utilities. -- Assessor
(b) Waiver agreement for a hearing by the special assessment board in connection with his petition for improvements in Northridge Estates, including roadway and utilities. -- Engineering

* 02-1112-03 Ted Stocke submitting further petition (two signatures), to rezone from R-1-B to R-3 property described as Lots 4 through 8, Auditors Plat 24. -- Assessor

* 02-1112-04 The following submitting communications regarding the Bayfront Festival Park master plan (02-0655R(a)): (a) Jan Bloom; (b) Deborah Shubat; (c) Steve Townsend. -- Received

* 02-1112-05 The following submitting communications regarding proposed reappointments to the tree commission (02-0704R): (a) John Pastor; (b) Roni Seger Town. -- Received

- - -

REPORTS OF OFFICERS

* 02-1112-06 Assessor submitting:
(a) Affidavits of mailing of notice of public hearings of the special assessment board on November 12, 2002, in Room 106A, City Hall, at:
(1) 3:30 p.m. - regarding the proposed construction of sanitary sewer in Denney Drive from 12th Avenue East to 150 feet easterly (estimated assessable amount - \$60,440);
(2) 4:00 p.m. - regarding the proposed construction of sanitary sewer in Locust Street from Ebony Avenue extending 300 feet westerly (estimated assessable amount - \$36,000). -- Clerk
(b) Assessment roll to be levied to defray in full the expense of solid waste collection during the period March 1, 2001, to June 1, 2002, for which the collector has not been reimbursed;
(c) Letters of sufficiency of petitions to:
(1) Reclassify from R-1-B to R-3 Auditors Plat 24, Lots 4 through 7;
(2) Vacate an easement for public utilities over the easterly five feet of Lots 1 through 14, Block 1, and the westerly five feet of Lots 19 through 32, Block 1, Farrell and Culver's Addition to Kenwood. -- Received

- - -

REPORTS OF BOARDS AND COMMISSIONS

- 02-1112-07 Housing and redevelopment authority of Duluth:
- (02-0750R); (a) Communication regarding allocation of 2003 low-income housing tax credits
- (b) Minutes of August 27, 2002, meeting. -- Received (E-MAILED)

REPORTS OF COUNCIL OPEN ISSUES

- Comprehensive plan.
- Planned unit development.
- Retiree benefits.
- Proposed amendments regarding demolition of hazardous buildings.
- Soft Center incubator.
- Armory.

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

COMMITTEE 1

BY COUNCILOR STEWART (PERSONNEL)

02-0704R - RESOLUTION CONFIRMING THE REAPPOINTMENTS OF ROBERT N. JOHNSON AND STEPHEN KHALAR TO THE TREE COMMISSION. (TABLED 10/28 FOR INTERVIEWS)

COMMITTEE 2

BY COUNCILOR STENBERG (PHYSICAL DEVELOPMENT)

02-0628R - RESOLUTION VACATING A STORM WATER EASEMENT IN RICHARDS' FIRST ADDITION AND A TEN FOOT WIDE UTILITY EASEMENT IN ARROWHEAD SECOND ADDITION (RICHARDS). (TABLED 9/23)

02-0655R(a) - RESOLUTION ADOPTING THE BAYFRONT MASTER PLAN, EXCEPT THE LIVING WATER GARDEN AND GRANT SECUREMENT PORTION, AS A GUIDELINE FOR THE FUTURE REDEVELOPMENT OF THE BAYFRONT AREA. (TABLED 10/28)

COMMITTEE 3

BY COUNCILOR BERGSON (PUBLIC SAFETY)

02-0626R - RESOLUTION REQUESTING THE ADMINISTRATION TO CONDUCT AN INDEPENDENT FINANCIAL AND PERFORMANCE AUDIT OF THE CITY'S ANIMAL SHELTER OPERATIONS. (TABLED 9/23)

COMMITTEE 3

BY COUNCILOR STAUBER (RECREATION, LIBRARIES & AUTHORITIES)

02-0669R - RESOLUTION REQUESTING THE CHARTER COMMISSION TO RECOMMEND ADOPTION OF AN ORDINANCE AMENDING SECTION 8 AND SECTION 31 OF THE CITY CHARTER TO PROVIDE INCREASED FLEXIBILITY IN THE AWARDING OF CONTRACTS. (TABLED 10/15)

- - -

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 HOGG (FINANCE)

02-0756R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY IN FULL THE EXPENSE OF SOLID WASTE COLLECTION DURING THE PERIOD OF MARCH 1, 2001 TO JUNE 1, 2002, FOR WHICH THE LICENSED COLLECTOR HAS NOT BEEN REIMBURSED AS PROVIDED FOR IN CHAPTER 24 OF THE DULUTH CITY CODE.

02-0757R - RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF \$4,635,000 GENERAL OBLIGATION UTILITIES REVENUE BONDS, SERIES 2002G; \$2,220,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2002H; AND \$1,780,000 GENERAL OBLIGATION EQUIPMENT CERTIFICATES OF INDEBTEDNESS, SERIES 2002I.

BY COUNCILOR ATKINS (PURCHASING & ADMINISTRATION)

02-0753R - RESOLUTION AUTHORIZING A SALE OF ONE 1995 SNO-GO MODEL WK800 SNOWBLOWER TO MACQUEEN EQUIPMENT COMPANY, IN ACCORDANCE WITH ITS BID OF \$25,010, REVENUE TO GENERAL FUND 0100.

COMMITTEE 2

BY COUNCILOR GILBERT (COMMUNITY DEVELOPMENT)

02-0746R - RESOLUTION TRANSFERRING FUNDS WITHIN THE 1998 AND 1999 HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

02-0747R - RESOLUTION AUTHORIZING A COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT WITH THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH, MINNESOTA, IN AN AMOUNT NOT TO EXCEED \$135,000.

COMMITTEE 2

BY COUNCILOR STENBERG

(PHYSICAL DEVELOPMENT)

02-0742R - RESOLUTION GRANTING A SPECIAL USE PERMIT TO TERESA K. JOHNSON FOR A HOME BEAUTY SALON FOR PROPERTY LOCATED AT 137 WEST CENTRAL ENTRANCE.

02-0743R - RESOLUTION VACATING 3RD AVENUE EAST BETWEEN MESABA AVENUE AND ELEVENTH STREET (MAGIE).

BY PRESIDENT NESS

(INTERGOVERNMENTAL RELATIONS)

02-0733R - RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF DULUTH AND THE ST. LOUIS COUNTY BOARD FOR THE FURNISHING OF HOME DELIVERED MEALS FOR THE PERIOD FROM JULY 1, 2002, TO DECEMBER 31, 2003.

02-0735R - RESOLUTION APPROVING A GRANT AGREEMENT FROM THE STATE OF MINNESOTA DEPARTMENT OF NATURAL RESOURCES COASTAL PROGRAM FOR \$24,140.00.

02-0736R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH INDEPENDENT SCHOOL DISTRICT NO. 709 TO PROVIDE BASIC EDUCATION SERVICES AT THE DULUTH WORKFORCE CENTER AT A COST OF \$28,445.

02-0738R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT \$268,576 IN WORKFORCE INVESTMENT ACT (W.I.A.) ADULT FUNDS FROM THE MINNESOTA DEPARTMENT OF ECONOMIC SECURITY IN ACCORDANCE WITH CITY CONTRACT NO. 19118.

02-0739R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT AN ADDITIONAL \$2,328 IN WORKFORCE INVESTMENT ACT (W.I.A.) ADULT FUNDS FROM THE MINNESOTA DEPARTMENT OF ECONOMIC SECURITY IN ACCORDANCE WITH CITY CONTRACT NO. 18880.

02-0748R - RESOLUTION ACCEPTING A SUPPLEMENTAL GRANT OF \$5,000 FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES TO BE USED IN A TROUT STREAM TRIBUTARY MAPPING PROJECT.

02-0749R - RESOLUTION AUTHORIZING AGREEMENT WITH FRYBERGER, BUCHANAN, SMITH & FREDERICK, P.A., FOR PROFESSIONAL LEGAL SERVICES RELATED TO THE SUB-ALLOCATION OF LOW-INCOME HOUSING TAX CREDITS IN THE AMOUNT NOT TO EXCEED \$5,000, PAYABLE FROM FEES GENERATED BY THE LOW-INCOME HOUSING TAX PROGRAM.

COMMITTEE 3

BY COUNCILOR STOVER

(PUBLIC WORKS & UTILITIES)

02-0744R - RESOLUTION APPROVING SETTLEMENT OF CLAIM OF BRIAN D. ASMUS IN THE AMOUNT OF \$21,132.03.

02-0751R - RESOLUTION AWARDDING CONTRACT TO POLYPHASE ELECTRIC COMPANY FOR TWO TRAFFIC CONTROL SIGNAL SYSTEMS AT KENWOOD AVENUE AND JUNCTION AVENUE, IN THE AMOUNT OF \$348,845.

02-0752R - RESOLUTION AWARDDING CONTRACT TO ST. JOSEPH EQUIPMENT FOR ONE CASE MODEL 580SM BACKHOE/LOADER, IN THE AMOUNT OF \$85,849.65.

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

02-0755R - RESOLUTION AWARDED CONTRACT TO ELECTRICAL INSTALLATION AND MAINTENANCE COMPANY FOR TRAFFIC CONTROL SIGNAL MODIFICATIONS AT VARIOUS LOCATIONS, IN THE AMOUNT OF \$197,563.05.

NEW 02-0762R - RESOLUTION AUTHORIZING AN AGREEMENT WITH ST. LOUIS COUNTY AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR THE RELOCATION AND REPLACEMENT OF A TRAFFIC CONTROL SIGNAL AT THE INTERSECTION OF TRINITY ROAD AND PIEDMONT AVENUE.

BY COUNCILOR BERGSON (PUBLIC SAFETY)

02-0754R - RESOLUTION AWARDED CONTRACT TO REEVES COMPANY FOR DECONTAMINATION EQUIPMENT IN THE AMOUNT OF \$29,562.87.

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR HOGG (FINANCE)

02-0694R - RESOLUTION AUTHORIZING A CONTRIBUTION TO THE LAKE SUPERIOR CENTER AUTHORITY OF UP TO \$175,000 FROM THE TOURISM FUND. (REPLACEMENT)

BY COUNCILORS STEWART AND HOGG

NEW 02-0761R - RESOLUTION REQUESTING THAT THE MAYOR PROMPTLY TAKE WHATEVER ACTION HE DEEMS NECESSARY TO RESTORE PUBLIC CONFIDENCE IN THE CITY'S PLANNING AND DEVELOPMENT EFFORTS.

COMMITTEE 2

BY COUNCILOR GILBERT (COMMUNITY DEVELOPMENT)

02-0750R - RESOLUTION AUTHORIZING THE MINNESOTA HOUSING FINANCE AGENCY TO AWARD THE CITY OF DULUTH'S 2003 LOW-INCOME HOUSING TAX CREDITS.

BY COUNCILOR STENBERG (PHYSICAL DEVELOPMENT)

02-0745R - RESOLUTION APPROVING SETTLEMENT OF CLAIM OF STOUT MECHANICAL, INC., IN THE AMOUNT OF \$116,095.32.

INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCES TABLED

COMMITTEE 1

BY COUNCILOR STEWART (PERSONNEL)

02-037-O - AN ORDINANCE AMENDING THE REGULATIONS FOR THE DEMOLITION OF HAZARDOUS BUILDINGS; AMENDING SECTIONS 10-3 AND 10-5 AND REPEALING IN ITS ENTIRETY SECTION 10-7 OF THE DULUTH CITY CODE, 1959, AS AMENDED. (AMENDMENT)

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

02-044-O - AN ORDINANCE PERTAINING TO THE PLANNING COMMISSION, REQUIRING ALL PLANNING COMMISSION MEETINGS TO START AFTER 5:00 P.M., AMENDING SECTION 4 OF ORDINANCE NO. 1809.

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

COMMITTEE 2

BY COUNCILOR STENBERG (PHYSICAL DEVELOPMENT)

02-052-O - AN ORDINANCE GRANTING A CONCURRENT USE PERMIT TO THE CENTER OF ALCOHOL AND DRUG TREATMENT FOR AN AWNING IN THE JEFFERSON STREET RIGHT-OF-WAY LOCATED AT 1402 EAST SUPERIOR STREET.

02-053-O - AN ORDINANCE AMENDING SECTION 50-56(b) OF THE DULUTH CITY CODE 1959, AS AMENDED RELATING TO TWO-FAMILY DWELLINGS IN R-1 ZONES.

COMMITTEE 3

BY COUNCILOR STOVER (PUBLIC WORKS & UTILITIES)

02-051-O - AN ORDINANCE AUTHORIZING SALE OF CERTAIN PROPERTY IN FOND DU LAC TO JOHN R. AND GLORIA J. DESMEDT.

COUNCILOR QUESTIONS AND COMMENTS
