

Monday, February 12, 2006, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - December 18, 2006.

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]

REPORTS FROM THE ADMINISTRATION

- Retiree healthcare benefits

REPORTS FROM OTHER OFFICERS

- * 07-0212-01 Assessor letter regarding confirmation of the assessment roll levied to defray the assessable portion of 2006 sidewalk patch project (Contract 5417, assessable: \$12,423.15). -- Received
- * 07-0212-02 Clerk applications to the Minnesota gambling control board for exemption from lawful gambling licenses (raffles) from:
 - (a) Ducks Unlimited - UMD Chapter on March 1, 2007;
 - (b) Holy Family Catholic Church on September 8, 2007. -- Received
- * 07-0212-03 Parks and recreation department:
 - (a) Lease agreements pursuant to Section 2-35, Duluth City Code, as follows:
 - (1) Jason Brandt and Walter Carlson for the Chester Bowl apartment; (2) Travis Hill for the Enger Park Golf Course apartment. -- Mayor for execution
 - (b) Lake Superior zoological society minutes of: (1) November 15, 2006; (2) January 9, 2007: (1) Annual; (2) Business meetings. -- Received

REPORTS OF BOARDS AND COMMISSIONS

- * 07-0212-04 Board of zoning appeals minutes of: (a) October 24; (b) November 28, 2006, meeting. -- Received
- * 07-0212-05 Charter commission minutes of November 29, 2006, meeting. -- Received
- * 07-0212-06 Civil service board minutes of December 5, 2006, meeting. -- Received
- * 07-0212-07 Duluth airport authority balance sheet of November 30, 2006. -- Received
- * 07-0212-08 Duluth transit authority: (a) Income statement of October, 2006; (b) Minutes of November 29, 2006, meeting. -- Received
- * 07-0212-09 Housing and redevelopment authority minutes of September 26, 2006, meeting. -- Received

* 07-0212-10 Library board minutes of November 28, 2006, meeting. -- Received

* Listed only, not copied.

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REPORTS OF COUNCIL COMMITTEES

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REPORTS OF COUNCIL OPEN ISSUES

- Planned unit development
- Zoning Code changes

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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RESOLUTION FOR RECONSIDERATION

COMMITTEE 3

BY COUNCILOR REINERT (RECREATION, LIBRARIES & AUTHORITIES)

06-0875R - RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF 3400 DRIVE TRINITY ROAD SANITARY SEWER AND WATERMAIN EXTENSION.

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RESOLUTIONS TABLED

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-0050R - RESOLUTION REQUESTING THAT THE ADMINISTRATION DEVELOP AND PRESENT AN ORDINANCE AUTHORIZING RESIDENTIAL PARKING PERMITS IN METERED ZONES. (TABLED 1/29)

07-0076R - RESOLUTION AUTHORIZING AN AGREEMENT WITH ST. LOUIS COUNTY PURSUANT TO WHICH THE CITY SHALL REIMBURSE THE COUNTY FOR A PROFESSIONAL SERVICES CONTRACT RELATED TO THE COMPLETION OF THE DULUTH/ST. LOUIS COUNTY TEN YEAR PLAN TO END HOMELESSNESS IN AN AMOUNT NOT TO EXCEED \$10,000. (TABLED 1/29) (AMENDMENT)

COMMITTEE 3

BY COUNCILOR REINERT (RECREATION, LIBRARIES & AUTHORITIES)

07-0054R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH WILLARD ENTERPRISES, INC., PROVIDING FOR A LEASE AND OPERATING AGREEMENT OF THE INDIAN POINT CAMPGROUND. (TABLED 1/29)

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MOTIONS AND RESOLUTIONS

The following entitled resolution is to be read for the first time:

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-0091R - RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE JOB OPPORTUNITY BUILDING ZONE (JOBZ) BUSINESS SUBSIDY AGREEMENT WITH AMERICAN ENGINEERING TESTING, INC., CORRECTING THE OMISSION OF A PROPERTY TAX IDENTIFICATION NUMBER.

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 STEWART (FINANCE)

07-0092R - RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF SIDEWALK PATCH 2006.

07-0096R - RESOLUTION AUTHORIZING AN AGREEMENT WITH HISTORIC UNION DEPOT, INC., IN THE AMOUNT OF \$151,807.

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

07-0093R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO CONTRACT WITH XEROX CORPORATION FOR COPIER RENTAL AND MAINTENANCE DURING YEAR 2007 FOR AN ESTIMATED AMOUNT OF \$86,000.

07-0113R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH PRO-WEST AND ASSOCIATES, INC., TO PROVIDE PROFESSIONAL SERVICES FOR DIGITAL PLAT AND PARCEL DATA MAPPING, ESTIMATED AT \$90,000.

07-0114R - RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO MULTIPLE SCLEROSIS SOCIETY.

07-0115R - RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR DUCKS UNLIMITED - UNIVERSITY OF MINNESOTA DULUTH CHAPTER.

07-0124R - RESOLUTION AUTHORIZING CITY OFFICIALS TO ENTER INTO A CONTRACT WITH HENRY A. ANDERSON AGENCY, INC., FOR BOILER INSURANCE COVERING 40 CITY LOCATIONS DURING YEAR 2007 IN THE AMOUNT OF \$10,353.

07-0125R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONTRACT WITH LISCOMB-HOOD-MASON COMPANY FOR PROPERTY INSURANCE COVERING 40 CITY-OWNED STRUCTURES AND MISCELLANEOUS PIECES OF EQUIPMENT DURING YEAR 2007 IN THE AMOUNT OF \$74,375.

COMMITTEE 1

BY COUNCILOR GILBERT (PERSONNEL)

07-0090R - RESOLUTION CONFIRMING THE REAPPOINTMENT OF JULIE MCDONNELL AND THE APPOINTMENT OF JESSE ANDERSON, REPLACING ROSIE LEOFFLER-KEMP, TO THE ENVIRONMENTAL ADVISORY COUNCIL.

07-0108R - RESOLUTION CONFIRMING THE APPOINTMENT OF MARY RUTH RENNIE TO THE HOUSING AND REDEVELOPMENT AUTHORITY, REPLACING GLENN FITZGERALD.

07-0109R - RESOLUTION CONFIRMING THE APPOINTMENT OF CINDY HALL TO THE JOINT AIRPORT ZONING BOARD, REPLACING JIM MOHN.

07-0112R - RESOLUTION CONFIRMING THE APPOINTMENT OF JAMES W. LARSON TO THE TREE COMMISSION, REPLACING GEORGE C. KIRK.

07-0120R - RESOLUTION CONFIRMING THE APPOINTMENTS OF RICKY W. DEFOE, BRIAN C. WILSON, JR. AND BEATRICE A. KITTO TO THE AMERICAN INDIAN COMMISSION, REPLACING CJ BIRD, EDYE HOWES AND EVELYN TANNER CAMPBELL.

07-0121R - RESOLUTION CONFIRMING THE APPOINTMENTS OF THERESA BOBULA AND IRINA A. JOHNSON TO THE COMMUNITY DEVELOPMENT COMMITTEE, REPLACING PATRICIA D. THORSON AND CHARLES THOMPSON.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-0084R - RESOLUTION AUTHORIZING THE ACCEPTANCE OF A QUIT CLAIM DEED TO PROPERTY LOCATED IN MILLER CREEK DIVISION FOR USE AS OPEN SPACE AND WETLAND FROM MERIDIAN DULUTH LIMITED PARTNERSHIP.

07-0111R - RESOLUTION VACATING ALLEY ADJOINING LOTS 1, 2, 3, 4, 4-1/2 AND LOT 5, BLOCK 186, WEST DULUTH SEVENTH DIVISION, LOCATED WEST OF 51ST AVENUE WEST, 100 FEET SOUTH OF WADENA STREET (HRA-SVCNDA).

BY COUNCILOR NESS (INTERGOVERNMENTAL RELATIONS)

07-0088R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT FUNDS FROM THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT FOR PROVISION OF WORKFORCE INVESTMENT ACT TITLE I SERVICES, MINNESOTA YOUTH PROGRAM SERVICES AND OLDER AMERICAN PROGRAM SERVICES FOR PROGRAM 2007-2010.

07-0089R - 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 THE AMOUNT OF \$957,535 FOR THE PERIOD JANUARY 1, 2007, THROUGH DECEMBER 31, 2007.

07-0099R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND RECEIVE FUNDS FROM DULUTH PUBLIC SCHOOLS FOR THE PROVISION OF SERVICES RELATED TO THE CHILDREN SUCCEEDING IN SCHOOL INITIATIVES IN AN AMOUNT NOT TO EXCEED \$20,800, FOR THE PERIOD OF JANUARY 1, 2007, TO SEPTEMBER 30, 2007.

COMMITTEE 2

BY COUNCILOR NESS (INTERGOVERNMENTAL RELATIONS)

07-0100R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH NOAH DENNIS, INDEPENDENT LICENSED TEACHER, TO PROVIDE BASIC EDUCATION SERVICES RELATED TO THE CHILDREN SUCCEEDING IN SCHOOL INITIATIVES FOR THE PERIOD JANUARY 1, 2007, TO SEPTEMBER 30, 2007, AT AN AMOUNT NOT TO EXCEED \$20,800.

07-0118R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO AMEND A CONTRACT WITH ST. LOUIS COUNTY TO PROVIDE FOOD SUPPORT EMPLOYMENT AND TRAINING SERVICES FROM OCTOBER 1, 2006, THROUGH SEPTEMBER 30, 2007, AT A TOTAL COST NOT TO EXCEED \$49,986.

BY PRESIDENT STOVER (COMMITTEE OF THE WHOLE)

07-0110R - RESOLUTION CALLING A PUBLIC HEARING ON PROPOSED AMENDMENTS TO SECTION 69 OF THE CITY CHARTER PERTAINING TO ASSESSMENTS.

COMMITTEE 3

BY COUNCILOR JOHNSON (PUBLIC WORKS & UTILITIES)

07-0080R - RESOLUTION AUTHORIZING THE ACQUISITION OF A UTILITY EASEMENT LOCATED IN BLOCK 42, DULUTH PROPER, THIRD DIVISION, FOR A PUBLIC USE, FROM OWNERS STEPHEN AND MARY ANN SHELBY, FOR A TOTAL CONSIDERATION OF \$12,207.

07-0094R - RESOLUTION AUTHORIZING CITY OFFICIALS TO ENTER INTO A CONTRACT WITH ACME TOOLS FOR UTILITY AND MAINTENANCE UNIFORMS AS NEEDED DURING YEAR 2007 AT AN ESTIMATED AMOUNT OF \$42,700.

07-0101R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONTRACT WITH INTER-CITY OIL COMPANY, INC., FOR BOTH STATION AND BULK FUELS AS NEEDED DURING YEAR 2007 FOR AN ESTIMATED AMOUNT OF \$1,000,000. **(REPLACEMENT)**

07-0119R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH RICK'S TREE AND STUMP REMOVAL, LLC, FOR TREE REMOVAL SERVICES DURING 2007, ESTIMATED AT \$17,295.

BY COUNCILOR LITTLE (PUBLIC SAFETY)

07-0102R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A STATE OF MINNESOTA-MANDATED AGREEMENT WITH GOPHER STATE ONE-CALL SYSTEM SERVICES FOR AN ESTIMATED AMOUNT OF \$11,020.

07-0116R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA, DEPARTMENT OF PUBLIC SAFETY, IN THE AMOUNT OF \$8,000 TO CONDUCT INCREASED IMPAIRED AND DRUNK DRIVING ENFORCEMENT.

07-0117R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA, COMMISSIONER OF PUBLIC SAFETY, OFFICE OF JUSTICE PROGRAMS, IN THE AMOUNT OF \$121,500 FOR THE PURPOSE OF SUPPORTING THE DULUTH POLICE DEPARTMENT'S PARTICIPATION IN THE MINNESOTA FINANCIAL CRIMES TASK FORCE.

COMMITTEE 3

BY COUNCILOR LITTLE (PUBLIC SAFETY)

07-0126R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO AWARD A CONTRACT TO ELK RIVER FORD FOR TEN MARKED PATROL VEHICLES, ALL FORD CROWN VICTORIAS, IN THE AMOUNT OF \$209,900.

BY COUNCILOR REINERT (RECREATION, LIBRARIES & AUTHORITIES)

07-0106R - RESOLUTION AUTHORIZING EXECUTION OF A MAJOR SPONSORSHIP AGREEMENT WITH GRANDMA'S MARATHON-DULUTH, INC., FOR THE 2007 GRANDMA'S MARATHON AT A COST OF NOT TO EXCEED \$15,000, PLUS IN-KIND SERVICES.

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR STEWART (FINANCE)

NEW 07-0140R - RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF DULUTH AND LOCAL 101 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS FOR YEARS 2007-2009.

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

07-0107R - RESOLUTION AUTHORIZING A CONTRACT WITH LAKE SUPERIOR AREA FAMILY SERVICES FOR THE OPERATION OF AN OUTREACH GAMBLING PROGRAM DURING YEAR 2007 IN AN AMOUNT NOT TO EXCEED \$100,000.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

NEW 07-0136R - RESOLUTION TRANSFERRING \$2,000,000 FROM COMMUNITY INVESTMENT TRUST FUND TO OTHER POST EMPLOYMENT BENEFITS FUND.

BY COUNCILOR NESS (INTERGOVERNMENTAL RELATIONS)

NEW 07-0122R - RESOLUTION CALLING A PUBLIC HEARING ON PROPOSED AMENDMENT TO SECTION 102 OF THE DULUTH CITY CHARTER.

COMMITTEE 3

BY COUNCILOR LITTLE (PUBLIC SAFETY)

07-0130R - RESOLUTION AMENDING RESOLUTION 06-0756 ESTABLISHING METERED PARKING ON FIRST STREET, SECOND STREET, THIRD STREET, THIRD AVENUE EAST AND FOURTH AVENUE EAST IN DULUTH.

COMMITTEE 3

BY COUNCILOR REINERT (RECREATION, LIBRARIES & AUTHORITIES)

07-0131R - RESOLUTION AFFIRMING ACTIVITY-FRIENDLY COMMITMENTS.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCE TABLED

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

06-058-O - AN ORDINANCE AMENDING SECTIONS 44-1, 44-2, 44-5, 44-11, 44-14, 44-33 AND 44-34 OF THE DULUTH CITY CODE, 1959, AS AMENDED; REGULATING LIGHTED SIGNS.
(TABLED 12/4/2006 AND REFERRED TO PLANNING COMMISSION)

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

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

07-006-O - AN ORDINANCE AMENDING SECTIONS 31, 33, 34, 54(A) AND 55 OF THE DULUTH CITY CHARTER, ALL INVOLVING THE CITY PURCHASING FUNCTION.

COMMITTEE 2

BY COUNCILORS STAUBER AND STEWART

07-004-O - AN ORDINANCE TO AMEND THE BUDGET OF THE CITY OF DULUTH FOR THE YEAR 2007 BY APPROPRIATING MONIES FOR THE PAYMENT OF OPEB COSTS - NO INCREASE IN TOTAL EXPENDITURES.

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

07-005-O - AN ORDINANCE TO AMEND THE BUDGET OF THE CITY OF DULUTH FOR THE YEAR 2007 BY REPLACING LANGUAGE IN SECTION 10 OF ORDINANCE 9810 AND RESCINDING THE LANGUAGE PREVIOUSLY APPROVED.

COMMITTEE 3

BY COUNCILOR JOHNSON (PUBLIC WORKS & UTILITIES)

07-003-O - ORDINANCE AUTHORIZING THE SALE OF CERTAIN CITY PROPERTY AT PUBLIC AUCTION AND CERTIFICATE OF SALE OF TAX FORFEIT LANDS AND CITY LANDS.

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COUNCILOR QUESTIONS AND COMMENTS

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