

Monday, July 21, 2008, 7:00 p.m.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES** - May 12, 2008.

**PUBLIC HEARING** - 7:00 p.m. - IKONICS JOBZ expansion agreement (08-0416R).

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*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**

\* 08-0721-01 Duluth Builder's Exchange petition to vacate that four feet by 100 feet portion of the unimproved public alley easement parallel and adjacent to the eastern property line of Plat 3910, Parcel 03730, Rice's Point, Block 38, Lots 162 - 172, even numbered lots, commencing at the northeast corner of lot 162, extending four feet easterly along the line of the northern boundary of lot 162, turning 90 degrees southerly and running 100 feet, parallel to the eastern property line of lots 162, 164, 166 and 168, turning 90 degrees westerly for four feet and intersecting with the southeast corner of lot 168. -- Assessor

\* 08-0721-02 Donald J. Farrell, et al. (three signatures), vacation petition for 14th Avenue West extending on a north line from the Fourth Street Alley to the south line of Fifth Street. -- Assessor

\* 08-0721-03 Greg Kramer, et al. (four signatures) petition to vacate 125 feet of alley easement in Block 19, Duluth Heights Sixth Division which is parallel to Basswood Avenue and Mulberry Street. -- Assessor

\* 08-0721-04 Minnesota state auditor:  
 (a) Duluth airport authority audit report for the years ended December 31, 2007 and 2006;  
 (b) Duluth transit authority audit report for the years ended December 31, 2007 and 2006;  
 (c) Western Lake Superior Sanitary District:  
 (1) Comprehensive annual financial report for the year ended December 31, 2007;  
 (2) Management and compliance report for the year ended December 31, 2007.

-- Received

\* 08-0721-05 Shane Doesken communication regarding proposed ordinance pertaining to keeping chickens in the city (08-020-O). -- Received

\* 08-0721-06 David Pueringer communication regarding new parking meter fees (08-0450R, 08-0454R). -- Received

\* 08-0721-07 Target Corporation, by Faegre and Benson, LLP, appeal of planning commission denial of water resources management ordinance variance request. -- Committee 2 (planning and economic development)

\* 08-0721-08 The following communications regarding designation of certain trails and areas for use as off-leash dog trails and areas (08-0341R and 08-035-O): (a) Janet Draper; (b) Brian Ronstrom. -- Received

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**REPORTS FROM THE ADMINISTRATION**

- Retiree healthcare benefits

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**REPORTS FROM OTHER OFFICERS**

- \* 08-0721-09 Assessor:
  - (a) Affidavits of mailing of notice of:
    - (1) Informational meeting at 5:00 p.m. on July 15, 2008, and a Duluth City Council public hearing at 7:00 p.m. on July 28, 2008, both to be held in the Council Chamber, Third Floor, City Hall, regarding the proposed 2008 street preservation program - Colalillo Drive, Piedmont Heights, Anderson Road and Third and Fourth streets. -- Clerk
    - (2) Public hearing on reassessment of local improvement and levying of assessments against real estate specially benefitted by such improvements regarding Contract No. 7036, Plat 4430 Parcel 02090, SIP Lincoln Park street improvement (assessable amount: \$729.05); and Contract No. 1190021, Plat 2710, Parcel 02180, watermain extension (assessable amount: \$8,550.93);
  - (b) Assessment roll of delinquent solid waste collecting expenses during the period of March 1, 2007, to June 1, 2008, for which the licensed collector has not been reimbursed;
  - (c) For confirmation the assessment rolls levied to defray the assessable portions of:
    - (1) Contract No. 5405, West Palm Street from Robin avenue to Teak Avenue, eight inch watermain and sanitary sewer (assessable amount: \$113,788.35) (08-0445R);
    - (2) Contract No. 7036, Plat 4430 Parcel 02090, SIP Lincoln Park street improvement (assessable amount: \$729.05) (08-0446R);
    - (3) Contract No. 1190021, Plat 2710, Parcel 02180, watermain extension (assessable amount: \$8,550.93) (08-0447R);
  - (d) Letter of sufficiency of petitions to vacate:
    - (1) 14th Avenue West extending on a north line from the Fourth Street Alley to the south line of Fifth Street;
    - (2) That four feet by 100 feet portion of the unimproved public alley easement parallel and adjacent to the eastern property line of Plat 3910, Parcel 03730, Rice's Point, Block 38, Lots 162 - 172, even numbered lots, commencing at the northeast corner of lot 162, extending four feet easterly along the line of the northern boundary of lot 162, turning 90 degrees southerly and running 100 feet, parallel to the eastern property line of lots 162, 164, 166 and 168, turning 90 degrees westerly for four feet and intersecting with the southeast corner of lot 168. -- Received
- \* 08-0721-10 Clerk applications to the Minnesota gambling control board for exemption from lawful gambling license from: (a) Rocky Mountain Elk Foundation on October 18, 2008 (raffle); (b) St. Michael's Church on October 12, 2008 (bingo and raffle). -- Received
- \* 08-0721-11 Parks and recreation department director minutes of Lake Superior zoological society meetings of: (a) March 19; (b) April 16, 2008, meetings. -- Received
- \* 08-0721-12 Purchasing agent emergency order awarded to Service Electric for repair of Lift Station No. 2 pump for \$47,117.73. -- Received

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**REPORTS OF BOARDS AND COMMISSIONS**

- \* 08-0721-13 Alcohol, gambling and tobacco commission minutes of: (a) May 7; (b) June 4, 2008, meetings. -- Received

- \* 08-0721-14 Board of zoning appeals minutes of May 27, 2008, meeting. -- Received
- \* 08-0721-15 Charter commission minutes of April 9, 2008, meeting. -- Received
- \* 08-0721-16 Commission on disabilities minutes of June 4, 2008, meeting. -- Received
- \* 08-0721-17 Community development committee minutes of April 22, 2008, meeting. -- Received
- \* 08-0721-18 Duluth airport authority: (a) Balance sheet for month ended April 30, 2008; (b) Minutes of May 20, 2008, meeting. -- Received
- \* 08-0721-19 Duluth human rights commission minutes of June 11, 2008, meeting. -- Received
- \* 08-0721-20 Duluth/North Shore Sanitary District minutes of May 14, 2008, meeting. -- Received
- \* 08-0721-21 Duluth transit authority: (a) Income statement for March, 2008; (b) Minutes of April 30, 2008, meeting. -- Received
- \* 08-0721-22 Entertainment and convention center authority minutes of June 24, 2008, meeting. -- Received
- \* 08-0721-23 Housing and redevelopment authority of Duluth financial and compliance report for the year ended September 30, 2007. -- Received
- \* 08-0721-24 Library board minutes of May 27, 2008, meeting. -- Received
- \* 08-0721-25 Parks and recreation commission minutes of June 11, 2008, meeting. -- Received
- \* 08-0721-26 Planning commission minutes of June 10, 2008, meeting. -- Received
- \* 08-0721-27 Seaway Port authority of Duluth financial report of March 2008. -- Received

\* Listed only, not copied.

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**REPORTS OF COUNCIL COMMITTEES**

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**REPORTS OF COUNCIL OPEN ISSUES**

- Zoning Code changes
- Pet licensing and registration
- ISD 709 Meeting

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**OPPORTUNITY FOR CITIZENS TO BE HEARD**

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**RESOLUTIONS TABLED**

**COMMITTEE 1**

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

08-0204R - RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF J&J MILLER, INC. (COPASETIC LOUNGE), 323 EAST CENTRAL ENTRANCE.  
(TABLED 6/19 FOR 7/21 COMMITTEE MEETING)

**COMMITTEE 1**

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

08-0381R - RESOLUTION DENYING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF J&J MILLER, INC. (COPASETIC LOUNGE), 323 EAST CENTRAL ENTRANCE.  
(TABLED 6/19 FOR 7/21 COMMITTEE MEETING)

08-0382R - RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF PLAYER'S GRANDSTAND, INC. (PLAYER'S SPORTS BAR), 4024 GRAND AVENUE.  
(TABLED 6/19 FOR 7/21 COMMITTEE MEETING)

08-0383R - RESOLUTION DENYING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF PLAYER'S GRANDSTAND, INC. (PLAYER'S SPORTS BAR), 4024 GRAND AVENUE.  
(TABLED 6/19 FOR 7/21 COMMITTEE MEETING)

08-0384R - RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF LUCKY BREAK INC. (HORSESHOE BILLIARDS), 2415 WEST SUPERIOR STREET.  
(TABLED 6/19 FOR 7/21 COMMITTEE MEETING)

08-0385R - RESOLUTION DENYING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF LUCKY BREAK INC. (HORSESHOE BILLIARDS), 2415 WEST SUPERIOR STREET.  
(TABLED 6/19 FOR 7/21 COMMITTEE MEETING)

**COMMITTEE 2**

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

08-0404R - RESOLUTION DENYING A REQUEST TO AMEND CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 28 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM R-1-C, ONE FAMILY RESIDENTIAL, TO C-5, PLANNED COMMERCIAL DEVELOPMENT, PROPERTY LOCATED AT 114 WEST MYRTLE STREET, BETWEEN BASSWOOD AVENUE AND HUGO AVENUE (STEVE LINDBERG).  
(TABLED 6/19 FOR CONSIDERATION WITH 08-050-O)

**COMMITTEE 3**

**BY COUNCILORS ANDERSON, STAUBER AND GARDNER**

08-0341R - RESOLUTION DESIGNATING CERTAIN TRAILS AND AREAS FOR USE AS OFF-LEASH DOG TRAILS AND AREAS.  
(TABLED 5/27 FOR PLANNING COMMISSION REVIEW)

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**MOTIONS AND RESOLUTIONS**

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

**COMMITTEE 2**

**BY PRESIDENT REINERT (COMMITTEE OF THE WHOLE)**

08-0405R - RESOLUTION AMENDING THE STANDING RULES - AGENDA MEETINGS. (REPLACEMENT)

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**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 GILBERT (FINANCE)**

08-0423R - RESOLUTION AMENDING RESOLUTION 07-0723 ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2008; INCREASING FEES FOR CERTAIN LIBRARY CHARGES.

08-0445R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF SANITARY SEWER ON WEST PALM STREET.

08-0446R - RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED FOR REASSESSMENT OF A CANCELED STREET IMPROVEMENT ASSESSMENT.

08-0447R - RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED FOR REASSESSMENT OF A CANCELED WATERMAIN EXTENSION.

08-0455R - RESOLUTION AMENDING RESOLUTION 07-0723 ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2008; MODIFYING CERTAIN FEES AND CHARGES PERTAINING TO FIRE CODE ENFORCEMENT.

08-0464R - RESOLUTION ACCEPTING GRANT FROM THE DULUTH-SUPERIOR AREA COMMUNITY FOUNDATION RELATED TO THE GREAT LAKES CITY CONFERENCE IN THE AMOUNT OF \$2,500.

**BY COUNCILORS GILBERT AND ANDERSON**

**NEW** 08-0482R - RESOLUTION REQUESTING A STUDY ON THE PUBLIC SAFETY IMPACT RESULTING FROM THE REDUCTION IN THE NUMBER OF FIRE RIGS.

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

08-0417R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONTRACT WITH CALIFORNIA SKATEPARKS, INC., FOR THE CONTRACT ADMINISTRATION AND CONSTRUCTION OF THE DULUTH SKATEBOARD PARK IN THE AMOUNT OF \$131,000.

08-0418R - RESOLUTION AUTHORIZING AN ENGINEERING/CONSULTANT AGREEMENT WITH FOSTER JACOBS AND JOHNSON, INC., FOR PROVIDING CERTAIN PROFESSIONAL SERVICES TO THE CITY OF DULUTH IN CONNECTION WITH THE REPAIR/UPDATING OF THE ZOO POLAR SHORES AT THE DULUTH ZOOLOGICAL GARDENS IN AN AMOUNT NOT TO EXCEED \$54,500.

08-0421R - RESOLUTION AUTHORIZING A CONSULTANT AGREEMENT WITH KRECH OJARD & ASSOCIATES, P.A., FOR PROVIDING CERTAIN PROFESSIONAL SERVICES TO THE CITY OF DULUTH IN CONNECTION WITH THE RE-ROOFING AND/OR REPAIRS OF VARIOUS CITY OWNED BUILDINGS IN AN AMOUNT NOT TO EXCEED \$13,935.

08-0431R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH XEROX CORPORATION FOR THE FIVE-YEAR LEASE AND MAINTENANCE OF A HIGH CAPACITY COPIER/PRINTER AT A TOTAL COST OF \$15,055.64 PER YEAR AND \$75,278.20 FOR FIVE YEARS.

**COMMITTEE 1**

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

08-0433R - RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO NORTHLAND COUNTRY CLUB, 3901 EAST SUPERIOR STREET.

08-0434R - RESOLUTION ISSUING AN ON SALE INTOXICATING LICENSE, ON SALE SUNDAY LICENSE, DANCING LICENSE AND 2:00 A.M. BEVERAGE LICENSE TO MISUL, INC. (REX), 600 EAST SUPERIOR STREET.

08-0435R - RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO DULUTH AMATEUR BASKETBALL ASSOCIATION.

08-0436R - RESOLUTION ISSUING A TEMPORARY ON SALE 3.2 PERCENT MALT LIQUOR LICENSE TO BEERHUNTERS SOFTBALL TOURNAMENT.

08-0437R - RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSES OF VARIOUS LICENSEES.

08-0459R - RESOLUTION AUTHORIZING THE TRANSFER OF \$27,069 FROM THE DULUTH PUBLIC FACILITY AND PROGRAM FUND AND \$30,173 FROM GENERAL FUND PARK LAND SALES RESERVE REQUIRED TO COVER CHARGES FOR FIRE DAMAGE DEDUCTIBLE TO RECONSTRUCT HARRISON COMMUNITY CENTER AND TO COVER UNFORSEEN STRUCTURAL FAILURE IN THE ROOF AND SUPPORT PIERS OF THE ENTRY CANOPY OF THE HARRISON COMMUNITY CENTER WHICH IS NON FIRE RELATED.

08-0460R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONTRACT WITH CONSTRUCTION SERVICES, INC. FOR THE DULUTH HEIGHTS ADA / ACCESS IMPROVEMENTS IN THE AMOUNT OF \$50,363.

**BY COUNCILOR GARDNER (PERSONNEL)**

08-0420R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF POLICE SERGEANT.

**NEW** 08-0478R - RESOLUTION APPROVING THE MONTHLY SALARY OF GUNNAR B. JOHNSON, CITY ATTORNEY, FOR THE YEAR 2008.

**COMMITTEE 2**

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

08-0416R - RESOLUTION AUTHORIZING AN AMENDED AND RESTATED JOB OPPORTUNITY BUILDING ZONE (JOBZ) BUSINESS SUBSIDY AGREEMENT WITH IKONICS CORPORATION.

08-0429R - RESOLUTION DENYING A REQUEST TO AMEND CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 40 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM S, SUBURBAN, TO R-1-B, ONE FAMILY RESIDENTIAL, FOR PROPERTY LOCATED AT 2516 WOODLAND AVENUE (FOREST HILL CEMETERY).

08-0430R - RESOLUTION AUTHORIZING APPLICATION FOR AIRPORT NORTH BUSINESS DEVELOPMENT AREA INFRASTRUCTURE GRANT.

**COMMITTEE 2**

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

08-0432R - RESOLUTION ACCEPTING A DEED GRANT IN THE TOTAL AMOUNT OF \$579,153 FOR THE IKONICS EXPANSION PROJECT AND COMMITTING LOCAL MATCH.

08-0463R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO VACATE STREET AND ALLEY RIGHTS-OF-WAY NORTH OF HIGHWAY 61 EXPRESSWAY FOR NEW EASTRIDGE DIVISION PLAT (JOHN E. HOVLAND).

**COMMITTEE 3**

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

08-0410R - RESOLUTION ACCEPTING A GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR THE CONSTRUCTION OF THE LAKEWALK EAST TRAIL EXTENSION PHASE III IN THE AMOUNT OF \$100,000.

08-0422R - RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION 08-0302R WITH INSITUFORM TECHNOLOGIES USA, INC. FOR 2008 CURED-IN-PLACE PIPE (CIPP) REHABILITATION OF SANITARY SEWERS IN VARIOUS LOCATIONS, INCREASING THE AMOUNT BY \$107,824.35 FOR A NEW TOTAL OF \$326,739.35.

08-0440R - RESOLUTION AMENDING RESOLUTION 05-0475 AWARDED A CONTRACT TO MSA PROFESSIONAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR DESIGN, BIDDING AND CONSTRUCTION SERVICES FOR THE REHABILITATION/RECONSTRUCTION OF SANITARY SEWER LIFT STATIONS, INCREASING THE AMOUNT BY \$55,731 FOR A NEW TOTAL OF \$163,097.

08-0441R - RESOLUTION DESIGNATING PORTION OF SEWER BASIN NOS. 13, 14, 15, 16 AND 17 FOR I&I ENFORCEMENT UNDER CHAPTER 43 AND GIVING NOTICE TO AFFECTED PROPERTIES.

08-0442R - RESOLUTION APPROVING AGREEMENT WITH NRRI FOR STORMWATER MONITORING IN THE LAKESIDE DRAINAGE BASIN IN THE AMOUNT OF \$121,482.

08-0443R - RESOLUTION ACCEPTING DONATION OF UTILITY EASEMENT FROM CLYDE INDUSTRIAL PARK, INC., RELATED TO THE CLYDE PROJECT AND DHSC.

08-0449R - RESOLUTION AWARDED A CONTRACT TO JMF CONSTRUCTION, INC. FOR THE 2008 SANITARY AND STORM MANHOLE ADJUSTMENT PROGRAM IN THE AMOUNT OF \$67,162.

08-0453R - RESOLUTION AWARDED A CONTRACT TO JMF CONSTRUCTION, INC. FOR THE 2008 CDBG PHASE 5 DOWNTOWN AREA ACCESSIBILITY PROJECT - CURB RAMPS AND SIDEWALK REPLACEMENT, IN THE AMOUNT OF \$108,573.12.

**BY COUNCILOR CUNEO (PUBLIC SAFETY)**

08-0396R - RESOLUTION TO ESTABLISH NO PARKING ON BOTH SIDES OF MORLEY PARKWAY FROM SNIVELY ROAD TO LEICESTER AVENUE.

08-0415R - RESOLUTION SUPPORTING NATIONAL NIGHT OUT ON AUGUST 5, 2008.

**COMMITTEE 3**

**BY COUNCILOR CUNEO**

**(PUBLIC SAFETY)**

08-0426R - RESOLUTION AUTHORIZING CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH THE CITY OF ST. PAUL CREATING A JOINT POWERS AGREEMENT RELATED TO THE 2008 REPUBLICAN NATIONAL CONVENTION.

08-0427R - RESOLUTION APPROVING AGREEMENT WITH ARC FOR SERVICES RELATED TO THE DOMESTIC ABUSE INTERVENTION PROJECT IN THE AMOUNT OF \$160,188.

08-0428R - RESOLUTION APPROVING AGREEMENT WITH MINNESOTA PROGRAM DEVELOPMENT, INC., FOR SERVICES RELATED TO THE INVOLVEMENT OF MENDING THE SACRED HOOP IN THE DOMESTIC ABUSE INTERVENTION PROJECT IN THE AMOUNT OF \$1,600.

08-0438R - RESOLUTION AUTHORIZING PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES ON SUPERIOR STREET IN CONJUNCTION WITH GREATER DOWNTOWN COUNCIL COMMUNITY EVENTS.

08-0439R - RESOLUTION AUTHORIZING CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES IN WEST DULUTH ON AUGUST 1, 2008, IN CONJUNCTION WITH SPIRIT VALLEY DAYS AND SUBJECT TO CERTAIN CONDITIONS.

08-0444R - RESOLUTION AUTHORIZING THE BUILDING OFFICIAL TO ABATE CERTAIN NUISANCES BY REMOVAL OF STRUCTURALLY UNSOUND BUILDINGS IN THE CITY IN AN AMOUNT NOT TO EXCEED \$39,137.66.

08-0450R - RESOLUTION ESTABLISHING NEW PARKING METER RATES.

08-0452R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH MUNICIPAL EMERGENCY SERVICES, INC., FOR THE PURCHASE AND DELIVERY OF 67 SELF CONTAINED BREATHING APPARATUS (SCBA) UNITS FOR THE DULUTH FIRE DEPARTMENT AT A TOTAL AMOUNT OF \$239,991.32.

08-0454R - RESOLUTION ESTABLISHING NEW PARKING METER ZONES IN VARIOUS LOCATIONS AND ESTABLISHING TIME LIMITS AND RATES THEREFORE.

08-0465R - RESOLUTION AUTHORIZING ACCEPTING A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$18,315 AND EXECUTING A MEMORANDUM OF UNDERSTANDING WITH ST. LOUIS COUNTY FOR JOINT USE OF PROCEEDS.

**BY COUNCILOR ANDERSON (RECREATION, LIBRARIES & AUTHORITIES)**

08-0414R - RESOLUTION APPROVING LAWS OF MINNESOTA 2008, CHAPTER 198, CORRECT ERRORS IN SPIRIT MOUNTAIN LEGAL DESCRIPTION.

08-0419R - RESOLUTION AUTHORIZING TERMINATION OF AGREEMENTS WITH TEMPLE ISRAEL OF DULUTH, INC., AND JEWISH EDUCATION CENTER FOR OPERATION OF A RECREATIONAL FACILITY IN THE EAST HILLSIDE NEIGHBORHOOD.

08-0424R - RESOLUTION APPROVING SETTLEMENT OF CITY CLAIM AGAINST BAYFRONT BLUES FESTIVAL, INC., IN THE AMOUNT OF \$5,000.

08-0425R - RESOLUTION AUTHORIZING AN AMENDED AND RESTATED SERVICE AGREEMENT WITH THE DULUTH POLICE EXPLORER POST 244 AND THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY (DEDA) FOR PARKING SERVICES DURING THE BAYFRONT BLUES FEST.

**COMMITTEE 3**

**BY COUNCILOR ANDERSON (RECREATION, LIBRARIES & AUTHORITIES)**

08-0448R - RESOLUTION RENAMING WHEELER FIELD BOCCE COURTS AS THE ART ANSELMO-JOE MAIO BOCCE COURTS.

08-0456R - RESOLUTION APPROVING CONTRACT WITH BAYFRONT BLUES FESTIVAL, INC., FOR YEARS 2008, 2009 AND 2010 AT BASE RATE OF \$20,000 FOR 2008, AND \$25,000 FOR 2009 AND 2010.

08-0457R - RESOLUTION ALIENATING CERTAIN CITY PROPERTY ON PARK POINT AND AUTHORIZING THE SALE OF SAME.

08-0458R - RESOLUTION ACCEPTING \$20,000 FROM THE HARRISON COMMUNITY CLUB TO APPLY TO THE DEDUCTIBLE FOR RECONSTRUCTION OF HARRISON COMMUNITY CENTER.

**END OF CONSENT AGENDA**

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**INTRODUCTION AND CONSIDERATION OF ORDINANCES**

**ORDINANCES TABLED**

**COMMITTEE 1**

**BY COUNCILORS GILBERT AND GARDNER**

08-020-O - AN ORDINANCE AMENDING SECTION 50-55.1 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO KEEPING CHICKENS IN CITY. (TABLED 4/28 FOR PLANNING COMMISSION REVIEW)

**BY COUNCILORS KRAUSE AND FEDORA**

08-044-O - AN ORDINANCE PERTAINING TO THE DULUTH PUBLIC ARTS COMMISSION; AMENDING SECTION 2-109 OF THE DULUTH CITY CODE, 1959, AS AMENDED. (TABLED 6/19)

**COMMITTEE 2**

**BY COUNCILORS STAUBER, ANDERSON AND GARDNER**

08-035-O - AN ORDINANCE AUTHORIZING LICENSING OF UNLEASHED DOGS TO USE DESIGNATED AREAS AND TRAILS AMENDING SECTION 6-36 OF THE DULUTH CITY CODE, 1959, AS AMENDED AND ADDING NEW SECTIONS 6-36.1, 6-36.2 AND 6-36.3 TO ARTICLE IV OF CHAPTER 6 THEREOF. (TABLED 5/27 FOR PLANNING COMMISSION REVIEW)

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

**COMMITTEE 1**

**BY COUNCILOR GARDNER (PERSONNEL)**

08-051-O - AN ORDINANCE AMENDING SECTION 2-2.1 AND REPEALING SECTIONS 2-2.2, 2-2.3 AND 2-2.4 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO QUALIFICATIONS OF DEPARTMENT HEADS, DEPUTY CHIEF OF POLICE, DEPUTY FIRE CHIEF AND EQUAL OPPORTUNITY REPRESENTATIVE.

**COMMITTEE 2**

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

08-053-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 40 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM S, SUBURBAN, TO R-1-B, ONE FAMILY RESIDENTIAL, FOR PROPERTY LOCATED AT 2516 WOODLAND AVENUE (FOREST HILL CEMETERY).

**COMMITTEE 3**

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

08-054-O - AN ORDINANCE AMENDING AND REPLACING CHAPTER IX OF THE DULUTH CITY CHARTER, PERTAINING TO LOCAL IMPROVEMENTS AND SPECIAL ASSESSMENTS.

**BY COUNCILOR CUNEO (PUBLIC SAFETY)**

**NEW** 08-055-O - AN ORDINANCE AUTHORIZING CHARGES FOR EMERGENCY SERVICES AND COLLECTION THEREOF ADDING A NEW ARTICLE IV TO CHAPTER 21 OF THE DULUTH CITY CODE, 1959, AS AMENDED.

**BY COUNCILOR ANDERSON (RECREATION, LIBRARIES & AUTHORITIES)**

08-052-O - AN ORDINANCE AMENDING SECTION 34-13 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO GRAFFITI AND ITS REMOVAL.

**NEW** 08-056-O - AN ORDINANCE AMENDING SECTION 35-9 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PROVIDING FOR SPECIAL EVENT PERMITTING IN PUBLIC PARKS AND PUBLIC RECREATION AREAS AND AMENDING SECTION 35-9.3 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PROVIDING FOR THE HOURS OF OPERATION OF PUBLIC PARKS AND PUBLIC RECREATION AREAS.

**NEW** 08-057-O - AN ORDINANCE AMENDING SECTION 35-9.3 OF THE DULUTH CITY CODE, 1959, AS AMENDED, LIMITING THE AUTHORITY OF THE DIRECTOR OF PARKS AND RECREATION TO DETERMINE THE HOURS FOR SPECIAL EVENTS AT BAYFRONT FESTIVAL PARK RECREATION AREA.

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

**COMMITTEE 2**

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

08-048-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ADDING A NEW SECTION 50-1.50.1 DEFINING THE RESIDENTIAL PARKING AREA, AMENDING SECTION 50-30 TO ESTABLISH THE AUTHORIZED PARKING AREAS ON A RESIDENTIAL LOT AND CREATING A VARIANCE FROM SUCH REGULATION.

08-050-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 28 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM R-1-C, ONE FAMILY RESIDENTIAL, TO C-5, PLANNED COMMERCIAL DEVELOPMENT, PROPERTY LOCATED AT 114 WEST MYRTLE STREET, BETWEEN BASSWOOD AVENUE AND HUGO AVENUE (STEVE LINDBERG).

**COUNCILOR QUESTIONS AND COMMENTS**

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