

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Tuesday, February 10, 2009, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - August 11 and 25, 2008.

PUBLIC HEARINGS - 7:00 p.m. - Proposed ordinance amending Section 21 of the City Charter relating to political activities of city employees (09-003-O).

7:00 p.m. - Proposed ordinance amending sections 18 and 21 of the City Charter to allow for the appointment of additional officers and to authorize the adoption of job specifications by resolution (09-004-O).

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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

* 09-0210-01 American Indian Community Housing Organization, et al. (two signatures), petition to vacate 0.1" of the southern end of Lots 34 and 36, West Second Street, Duluth Proper First Division. -- Assessor

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REPORTS FROM OTHER OFFICERS

* 09-0210-02 Assessor letter of sufficiency of petition to vacate 0.1" of the southern end of Lots 34 and 36, West Second Street, Duluth Proper First Division. -- Received

* 09-0210-03 Parks and recreation division manager Lake Superior zoological society minutes of January 13, 2009: (a) Annual; (b) Regular meetings. -- Received

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REPORTS OF BOARDS AND COMMISSIONS

* 09-0210-04 American Indian commission minutes of November 24, 2008, meeting. -- Received

* 09-0210-05 Duluth airport authority minutes of December 16, 2008, meeting. -- Received

* 09-0210-06 Duluth transit authority: (a) Income statement for November, 2008; (b) Minutes of December 3, 2008, meeting. -- Received

* 09-0210-07 Duluth public arts commission minutes of January 26, 2009, meeting. -- Received

* 09-0210-08 Entertainment and convention center authority minutes of January 27, 2009, meeting. -- Received

* 09-0210-09 Housing and redevelopment authority minutes of: (a) September 23; (b) October 28, 2008, meetings. -- Received

* 09-0210-10 Library board minutes of November 25, 2008, meeting. -- Received

- * 09-0210-11 Parks and recreation commission minutes of December 10, 2008, meeting. -- Received
- * 09-0210-12 Spirit Mountain recreation area authority minutes of December 18, 2008, meeting. -- Received

* Listed only, not copied.

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REPORTS OF COUNCIL COMMITTEES
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OPPORTUNITY FOR CITIZENS TO BE HEARD
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RESOLUTIONS TABLED

COMMITTEE 1

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

09-0057R - RESOLUTION DENYING A REQUEST TO AMEND CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 21 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM M-1, MANUFACTURING, TO R-3, APARTMENT RESIDENTIAL, PROPERTY LOCATED ON WEST FIRST STREET BETWEEN 24TH AVENUE WEST AND 25TH AVENUE WEST (THOMAS SWANSON). (TABLED 1/26 FOR CONSIDERATION WITH 09-002-O)

09-0070R - RESOLUTION APPROVING THE VACATION OF ALLEYWAYS WITHIN A CITY BLOCK BOUNDED BY ARROWHEAD ROAD, HUMES AVENUE, CLEVELAND STREET AND KENWOOD AVENUE (DULUTH TEACHERS CREDIT UNION). (TABLED 1/26)

09-0071R - RESOLUTION DENYING THE VACATION OF ALLEYWAYS WITHIN A CITY BLOCK BOUNDED BY ARROWHEAD ROAD, HUMES AVENUE, CLEVELAND STREET AND KENWOOD AVENUE (DULUTH TEACHERS CREDIT UNION). (TABLED 1/26)

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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 FEDORA (FINANCE)

09-0077R - RESOLUTION AUTHORIZING THE CITY TO PARTICIPATE IN THE JOINT PROPERTY TAX ADVISORY COMMITTEE DURING 2009 AND PAYING FOR ITS SHARE OF A CONSULTANT AGREEMENT AT A COST TO THE CITY OF \$10,750.

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

09-0081R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH XEROX CORPORATION FOR COPIER LEASE AND MAINTENANCE SERVICES DURING 2009 IN THE AMOUNT OF \$45,981.

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

09-0092R - RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR THE DULUTH ARCHERY CLUB AND DULUTH AVIATION INSTITUTE.

09-0093R - RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE AND SUNDAY LICENSE AND APPLICATION FOR A 2:00 A.M. BEVERAGE LICENSE FROM SIR BENEDICT'S, INC. (SIR BENEDICT'S TAVERN), 805 EAST SUPERIOR STREET, TO SIR BENEDICT'S III (SIR BENEDICT'S TAVERN), SAME ADDRESS.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

09-0083R - RESOLUTION AUTHORIZING ACCEPTANCE OF FIRST AMENDMENT TO DEED GRANT NO. CCGP-06-0016-Z-FY06 IN THE AMOUNT OF \$333,249 FOR THE CLYDE PROJECT.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC WORKS & UTILITIES)

09-0046R - RESOLUTION APPROVING A ST. LOUIS COUNTY PROJECT PROVIDING FOR THE MILL AND OVERLAY AND OTHER MISCELLANEOUS RECONDITIONING OF RICE LAKE ROAD FROM CENTRAL ENTRANCE TO ARROWHEAD ROAD WITHIN THE CORPORATE LIMITS OF THE CITY OF DULUTH.

09-0073R - RESOLUTION APPROVING A ST. LOUIS COUNTY PROJECT PROVIDING FOR THE MILL AND OVERLAY AND OTHER MISCELLANEOUS RECONDITIONING OF RICE LAKE ROAD FROM ARROWHEAD ROAD TO MARTIN ROAD WITHIN THE CORPORATE LIMITS OF THE CITY OF DULUTH.

09-0079R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH POMP'S TIRE SERVICE, INC., FOR VEHICLE AND EQUIPMENT TIRES AND REPAIRS AS NEEDED DURING YEAR 2009 FOR AN ESTIMATED \$30,000.

09-0082R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH ACME ELECTRIC TOOL CRIB OF THE NORTH FOR UTILITY AND MAINTENANCE UNIFORMS AS NEEDED DURING YEAR 2009 FOR AN ESTIMATED AMOUNT OF \$32,850.

09-0084R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH INTER-CITY OIL COMPANY, INC., FOR BOTH BULK AND SERVICE STATION FUELS AND DELIVERY SERVICE AS NEEDED DURING YEAR 2009 FOR AN AMOUNT NOT TO EXCEED \$1,200,000.

09-0085R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH BENSON ELECTRIC COMPANY FOR THE INSTALLATION OF A NEW PUMP AT LIFT STATION NO. 6 IN THE MOUNT OF \$27,975.

09-0087R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH VIKING ELECTRIC SUPPLY, INC., FOR DOWNTOWN, CANAL PARK AND FITGER'S BREWERY COMPLEX AREA STREET LIGHT POLE BASES AND PARTS IN THE AMOUNT OF \$30,198.75.

09-0088R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH SERVICE ELECTRIC OF SUPERIOR, INC., FOR COMPLETING SMALL ELECTRICAL WORK DURING YEAR 2009, INCLUDING LABOR AND MATERIALS, AT VARIOUS CITY LOCATIONS FOR AN ESTIMATED AMOUNT OF \$64,000.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC WORKS & UTILITIES)

09-0089R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH DAKOTA SUPPLY GROUP, INC., FOR THE PURCHASE AND DELIVERY OF BADGER WATER METER PARTS DURING YEAR 2009 AT AN ESTIMATED AMOUNT OF \$37,300.

09-0097R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH VINE BODY SHOP FOR VEHICLE BODY REPAIRS AS NEEDED DURING YEAR 2009 FOR AN AMOUNT NOT TO EXCEED \$45,000.

09-0098R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH MACQUEEN EQUIPMENT, INC., FOR OEM REPLACEMENT PARTS FOR ELGIN AND VACTOR EQUIPMENT AS NEEDED DURING YEAR 2009 AT AN ESTIMATED AMOUNT OF \$40,000.

09-0099R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH DRESSER, INC., FOR THE PURCHASE AND DELIVERY OF ROOTS NATURAL GAS METERS DURING YEAR 2009 IN THE AMOUNT OF \$22,253.49.

BY COUNCILOR CUNEO (PUBLIC SAFETY)

09-0091R - RESOLUTION TO ESTABLISH ONE STALL ACCESSIBLE PARKING ZONES AT VARIOUS LOCATIONS.

BY COUNCILOR ANDERSON (RECREATION, LIBRARIES & AUTHORITIES)

09-0086R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH POLARIS LIBRARY SYSTEMS FOR COMPUTER SOFTWARE AND HARDWARE MAINTENANCE ON THE LIBRARY'S POLARIS INTEGRATED LIBRARY SYSTEM DURING YEAR 2009 IN THE AMOUNT OF \$30,584.24.

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

09-0096R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH G&K SERVICES, INC., FOR LAUNDRY SERVICES AND RENTAL OF MISCELLANEOUS ITEMS DURING YEAR 2009 FOR AN ESTIMATED AMOUNT OF \$66,800.

COMMITTEE 2

BY PRESIDENT GILBERT (COMMITTEE OF THE WHOLE)

09-0059R - RESOLUTION AUTHORIZING AN AGREEMENT WITH FRANK MADDEN & ASSOCIATES FOR LEGAL SERVICES RELATED TO LABOR NEGOTIATIONS IN AN AMOUNT NOT TO EXCEED \$50,000.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC WORKS & UTILITIES)

09-0080R - RESOLUTION AMENDING RESOLUTION 06-0556, EXTENDING THE CITY'S PROFESSIONAL SERVICES CONTRACT #20214 WITH CARLSON MEDIA, INC., FOR AN INCREASE OF \$170,000, AND A TOTAL CONTRACT AMOUNT OF \$424,900.

09-0094R - RESOLUTION AUTHORIZING CITY OFFICIALS TO ENTER INTO A CONTRACT WITH MACQUEEN EQUIPMENT, INC., FOR THE PURCHASE AND DELIVERY OF A 2009 ELGIN PELICAN STREET SWEEPER WITH OPTIONS IN THE AMOUNT OF \$173,622.69.

09-0095R - RESOLUTION AUTHORIZING CITY OFFICIALS TO ENTER INTO A CONTRACT WITH ST. JOSEPH EQUIPMENT, INC., FOR THE PURCHASE AND DELIVERY OF A 2009 CASE BACKHOE MODEL 580SM-3 IN THE AMOUNT OF \$106,698.09.

09-0101R - RESOLUTION AUTHORIZING SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT WITH ALLETE, INC., FOR DULUTH STEAM DISTRICT NO. 2.

09-0102R - RESOLUTION AUTHORIZING THIRD AMENDMENT TO MANAGEMENT, OPERATION AND MAINTENANCE AGREEMENT WITH ALLETE, INC., FOR DULUTH STEAM DISTRICT NO. 2.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

COMMITTEE 1

BY COUNCILOR GARDNER (PERSONNEL)

09-005-O - AN ORDINANCE AMENDING SECTION 2-44 OF THE DULUTH CITY CODE, 1959, AS AMENDED, BY MODIFYING THE MEMBERSHIP OF THE PARKS AND RECREATION COMMISSION.

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

09-002-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 21 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM M-1, MANUFACTURING, TO R-3, APARTMENT RESIDENTIAL, PROPERTY LOCATED ON WEST FIRST STREET BETWEEN 24TH AVENUE WEST AND 25TH AVENUE WEST (THOMAS SWANSON).

BY PRESIDENT GILBERT (COMMITTEE OF THE WHOLE)

09-004-O - AN ORDINANCE AMENDING SECTIONS 18 AND 21 OF THE CITY CHARTER TO ALLOW APPOINTMENT OF ADDITIONAL OFFICERS AND TO AUTHORIZE ADOPTION OF JOB SPECIFICATIONS BY RESOLUTION.

COMMITTEE 3

BY COUNCILOR ANDERSON (RECREATION, LIBRARIES & AUTHORITIES)

09-003-O - AN ORDINANCE AMENDING CHAPTER IV, SECTION 21, OF THE CITY CHARTER RELATING TO POLITICAL ACTIVITIES OF CITY EMPLOYEES.

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COUNCILOR QUESTIONS AND COMMENTS

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