

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, December 21, 2001, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - September 14, 17, 28, October 12 and 26, 2009.

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]

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

- * 09-1221-01 Woodland Hills petition to vacate a portion of Allendale Avenue, Section 35, Township 51, Range 14; Woodland Avenue Gardens and Colman Park Division of Duluth. -- Assessor
- * 09-1221-02 Janice Cohen communication regarding the proposed rezoning on Park Point (09-0707R and 09-060-O). -- Received
- * 09-1221-03 Christine Penney communication regarding resolution requesting the Lake Superior Railroad authority to move empty and unused rail cars to areas of track that do not obstruct the public's view of Lake Superior (09-0767R). -- Received

REPORTS FROM OTHER OFFICERS

- * 09-1221-04 Assessor letters of sufficiency of petitions to:
 - (a) Reclassify from R-1-b, one-family residential, to S, suburban, property described as Lots 1 - 16, inclusive, Block 11, and Lots 2, 4, 6, 8, 10, 12, 14 and 16, Block 12; all that part of Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, Block 10, lying northwesterly of Pecan Avenue and southwesterly of Rice Lake Road, together with the adjacent vacated streets and alleys, all in Clague and Prindle's Addition;
 - (b) Vacate a portion of Allendale Avenue, Section 35, Township 51, Range 14; Woodland Avenue Gardens and Colman Park Division of Duluth. -- Received
- * 09-1221-05 Clerk applications to the Minnesota gambling control board for exemption from lawful gambling licenses (raffle) from: (a) Rotary Club of Duluth on March 11; (b) UMD Ducks Unlimited on February 19, 2010. -- Received

REPORTS OF BOARDS AND COMMISSIONS

- * 09-1221-06 Building appeal board minutes of November 18, 2009, meeting. -- Received
- * 09-1221-07 Commission on disabilities minutes of November 4, 2009, meeting. -- Received

* Listed only, not copied.

REPORTS OF COUNCIL COMMITTEES

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OPPORTUNITY FOR CITIZENS TO BE HEARD
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RESOLUTIONS TABLED

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

09-0742R - RESOLUTION ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2010. (TABLED 12/7)
(REPLACEMENT)

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

09-0707R - RESOLUTION DENYING A REQUEST TO AMEND CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 30 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM R-1-C, ONE-FAMILY RESIDENTIAL, TO R-3, APARTMENT RESIDENTIAL, PROPERTY LOCATED BETWEEN MINNESOTA AVENUE AND SAINT LOUIS AVENUE, 16TH STREET AND 200 FEET SOUTHERLY (PARK POINT PROPERTIES).
(TABLED 12/7 FOR CONSIDERATION WITH 09-060-O)

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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)

09-0746R - RESOLUTION AUTHORIZING AN AGREEMENT FOR APPRAISAL SERVICES WITH THE VALUATION GROUP, INC., RELATED TO THE VARIOUS TAX COURT PROCEEDINGS TOTALING NOT TO EXCEED \$37,000.

09-0747R - RESOLUTION ESTABLISHING ANNUAL BONDING PLAN FOR 2010.

09-0761R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED FOR REASSESSMENT OF CANCELED GARBAGE AND STORMWATER ASSESSMENT AT 7302 CARDIGAN STREET.

09-0772R - RESOLUTION AUTHORIZING EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND DULUTH POLICE UNION, LOCAL 807.

09-0776R - RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF DULUTH AND THE CITY OF DULUTH SUPERVISORY ASSOCIATION FOR 2010.

09-0777R - RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF DULUTH AND THE CONFIDENTIAL UNIT OF THE CITY OF DULUTH, REPRESENTED BY CHICAGO AND MIDWEST REGIONAL JOINT BOARD, AFFILIATED WITH WORKERS UNITED/SEIU, FOR 2010.

COMMITTEE 1

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

09-0750R - RESOLUTION AUTHORIZING CITY OFFICIALS TO RENEW AN AGREEMENT WITH SMDC MEDICAL CENTER (DULUTH CLINIC OCCUPATIONAL MEDICINE) FOR PROFESSIONAL SERVICES IN ADMINISTERING A VARIETY OF CONFIDENTIAL TESTS, EXAMS AND OCCUPATIONAL MEDICAL SERVICES FOR CITY EMPLOYEES AT AN AMOUNT NOT TO EXCEED \$25,000 PER YEAR OVER A THREE-YEAR PERIOD FOR A GRAND TOTAL OF \$75,000.

09-0752R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH HOVLAND, INC., FOR THE REPAIRS OF THE CITY OF DULUTH FIRST STREET (CONEY ISLAND) PARKING RAMP AT 106 WEST FIRST STREET FOR A TOTAL AMOUNT OF \$115,300.

09-0763R - RESOLUTION AUTHORIZING AGREEMENT WITH ST. LOUIS COUNTY PROVIDING FOR THE SHARED USE OF INTERNET ACCESS BANDWIDTH AT THE COST OF \$3,500 PER MONTH.

BY COUNCILOR GARDNER (PERSONNEL)

09-0778R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF PAYROLL COORDINATOR AND SPECIFYING CONTRACT BENEFITS FOR SAME.

09-0779R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF MOBILE DATA SPECIALIST AND SPECIFYING CONTRACT BENEFITS FOR SAME.

09-0780R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF PROPERTY AND EVIDENCE TECHNICIAN, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

09-0781R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF ADMINISTRATIVE LEGAL ASSISTANT AND SPECIFYING CONTRACT BENEFITS FOR SAME.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

09-0754R - RESOLUTION APPROVING THE 2010-2014 CONSOLIDATED PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT AND THE 2010 ANNUAL ACTION PLAN AND AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME PROGRAM AND EMERGENCY SHELTER GRANT PROGRAM (ESGP) PROGRAM FUNDS.

09-0755R - RESOLUTION AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2010 PROGRAM YEAR AS WELL AS APPROVING THE REALLOCATION OF CERTAIN PRIOR CDBG FUNDS AND AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES. **(REPLACEMENT)**

09-0756R - RESOLUTION AUTHORIZING A REQUEST FOR HUD HOME FUNDS FOR THE 2010 PROGRAM YEAR, AS WELL AS APPROVING THE REALLOCATION OF CERTAIN PRIOR HOME FUNDS AND AUTHORIZING CONTRACTS.

09-0757R - RESOLUTION AUTHORIZING A REQUEST FOR HUD EMERGENCY SHELTER GRANT PROGRAM (ESGP) FUNDS FOR THE 2010 PROGRAM YEAR, AS WELL AS APPROVING THE REALLOCATION OF CERTAIN PRIOR ESGP FUNDS AND AUTHORIZING CONTRACTS.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

09-0770R - RESOLUTION AUTHORIZING CITY TO REIMBURSE DEDA FOR OWNER'S CONTRIBUTIONS TO SKYWALK CONSTRUCTION COSTS.

09-0771R - RESOLUTION VACATING PEABODY STREET FROM 43RD AVENUE EAST TO A POINT 150 FEET EAST AND RETAINING A UTILITY EASEMENT AT THE EAST END OF THE VACATION AREA (ANDERSON).

BY COUNCILOR ECKENBERG (INTERGOVERNMENTAL RELATIONS)

09-0782R - RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH THE STATE OF MINNESOTA, DEPARTMENT OF ADMINISTRATION, SUBLEASING OFFICE SPACE IN THE MINNESOTA WORKFORCE CENTER - DULUTH EXTENDING THE LEASE PERIOD THROUGH JULY 31, 2012.

BY PRESIDENT GILBERT (COMMITTEE OF THE WHOLE)

09-0765R - RESOLUTION AUTHORIZING AGREEMENT WITH CANAL PARK BUSINESS ASSOCIATION FOR OPERATION OF INFORMATIONAL KIOSKS IN CANAL PARK.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC WORKS & UTILITIES)

09-0740R - RESOLUTION AUTHORIZING CITY OFFICIALS TO AMEND AND EXECUTE JOINT POWERS AGREEMENT NO. 20604 WITH THE DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY FOR THE OPERATION OF THE MINNESOTA SLIP PEDESTRIAN DRAW BRIDGE DURING YEAR 2010 FOR A TOTAL AMOUNT NOT TO EXCEED \$34,484.

09-0775R - RESOLUTION AUTHORIZING AGREEMENT WITH THE DULUTH SEAWAY PORT AUTHORITY FOR PORT TERMINAL STRUCTURAL RETAINING WALL REHABILITATION.

BY COUNCILOR CUNEO (PUBLIC SAFETY)

09-0749R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA, COMMISSIONER OF PUBLIC SAFETY, BUREAU OF CRIMINAL APPREHENSION, IN THE AMOUNT OF \$100,000 FOR THE PURPOSE OF SUPPORTING THE DULUTH POLICE DEPARTMENT'S PARTICIPATION IN THE MINNESOTA FINANCIAL CRIMES TASK FORCE.

09-0764R - RESOLUTION AUTHORIZING AGREEMENT WITH FINANCIAL CRIMES SERVICES, LLC, FOR ADMINISTRATION OF THE DRIVING DIVERSION PILOT PROGRAM AT NO COST TO CITY.

BY COUNCILOR ANDERSON (RECREATION, LIBRARIES & AUTHORITIES)

09-0762R - RESOLUTION AUTHORIZING A CONCESSION MANAGEMENT AGREEMENT BETWEEN THE CITY AND PROFESSIONAL GOLF MANAGEMENT, INC., FOR OPERATION OF THE ENGER AND LESTER PARK GOLF COURSES, FOR \$400,000 IN 2010, \$408,000 IN 2011 AND \$416,160 IN 2012.

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

09-0759R - RESOLUTION APPROVING CAPITAL IMPROVEMENT PLAN AND CALLING FOR PUBLIC HEARING ON INTENTION TO ISSUE IMPROVEMENT BONDS UNDER MINNESOTA STATUTES, SECTION 475.521.

09-0760R - RESOLUTION OF THE CITY OF DULUTH, MINNESOTA, STATING THE INTENT TO ISSUE GENERAL OBLIGATION CAPITAL EQUIPMENT NOTES, SERIES 2010, AND APPROVING THE CAPITAL EQUIPMENT LIST ASSOCIATED WITH THE NOTES IN THE APPROXIMATE AMOUNT OF \$2,400,000.

09-0767R - RESOLUTION REQUESTING THE NORTH SHORE SCENIC RAILROAD MOVE EMPTY AND UNUSED RAIL CARS TO AREAS OF TRACK THAT DO NOT OBSTRUCT THE PUBLIC'S VIEW OF LAKE SUPERIOR. **(REPLACEMENT)**

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

09-0769R - RESOLUTION AUTHORIZING A JOB INCENTIVE PROGRAM AGREEMENT WITH COOKIE TEMPTATIONS IN AN AMOUNT NOT TO EXCEED \$20,000.

09-0773R - RESOLUTION VACATING ENSIGN STREET FROM CHURCH PLACE TO A POINT 128.5 FEET WEST OF CHAMBERSBURG AVENUE AND RETAINING AN EASEMENT FOR PEDESTRIAN AND UTILITY PURPOSES OVER THE ENTIRE VACATION AREA (ISD 709).

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC WORKS & UTILITIES)

09-0748R - RESOLUTION ADOPTING TYPICAL SECTION DESIGN FOR THE GLENWOOD STREET RECONSTRUCTION PROJECT, CITY PROJECT NO. 0647TR/0244TR.

BY COUNCILOR CUNEO (PUBLIC SAFETY)

09-0721R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO CONTRACT WITH CUSTOM FIRE APPARATUS, INC., FOR THE TAX EXEMPT PURCHASE OF A TRIPLE COMBINATION FIRE PUMPER TRUCK IN THE AMOUNT OF \$446,707.

BY COUNCILOR ANDERSON (RECREATION, LIBRARIES & AUTHORITIES)

09-0758R - RESOLUTION ACCEPTING JOHN S. AND JAMES L. KNIGHT FOUNDATION GRANT IN THE AMOUNT OF \$160,000 FOR THE PURCHASE OF COMPUTERS TO INCREASE PUBLIC ACCESS AND TRAINING CAPACITY AT THE DULUTH PUBLIC LIBRARY.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

09-059-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, AMENDING PUBLIC DOCUMENT NO. 03-0324-15 ENTITLED "RAMSEY VILLAGE NEIGHBORHOOD DOCUMENTS OF IMPLEMENTATION" (SVCNDA).

09-062-O - AN ORDINANCE AMENDING SECTION 50-30 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO FRONT YARD PARKING FOR USES AUTHORIZED BY SPECIAL USE PERMIT.

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

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

09-057-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH TRANSIT AUTHORITY, FOR THE YEAR 2010.

09-058-O - AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2010.

09-061-O - AN ORDINANCE SETTING THE BUDGET FOR THE FISCAL YEAR 2010 APPROPRIATION MONIES FOR THE SUPPORT OF THE CITY GOVERNMENT, PUBLIC UTILITIES, AND PUBLIC ENTERPRISE FUNDS AND FOR OTHER PURPOSES.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

09-060-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 30 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM R-1-C, ONE-FAMILY RESIDENTIAL, TO R-3, APARTMENT RESIDENTIAL, PROPERTY LOCATED BETWEEN MINNESOTA AVENUE AND SAINT LOUIS AVENUE FROM 16TH STREET TO 200 FEET SOUTHERLY (PARK POINT PROPERTIES).

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC WORKS & UTILITIES)

09-056-O - AN ORDINANCE ESTABLISHING A PROGRAM TO CONTROL INTRODUCTION OF FATS, OILS AND GREASE INTO THE SANITARY SEWER SYSTEM, AMENDING VARIOUS DEFINITIONS IN CHAPTER 43 OF THE CODE AND ADDING A NEW DIVISION 2 TO ARTICLE VI OF CHAPTER 43 OF THE CODE.

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COUNCILOR QUESTIONS AND COMMENTS

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